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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Preparatory Committee
Third session
Geneva, 30 July - 10 August 2001
Item 5 of the provisional agenda

DRAFT PROGRAMME OF ACTION ~~FOR EQUALITY AND NON-DISCRIMINATION~~ AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Proposals made by the Group of 21

This document contains the proposals of the Group of 21 for a draft Programme of Action for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. These proposals are submitted in accordance with the mandate of the Group as stipulated in decision PC.2/3 adopted by the Preparatory Committee on 1 June 2001 at its second session. This document also includes the paragraphs that were adopted by the Preparatory Committee on 1 June 2001.

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I. SOURCES, CAUSES, FORMS AND CONTEMPORARY MANIFESTATIONS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance:

1. Urges States in their national efforts, and in cooperation with other States, regional and international organizations and financial institutions, to promote the use of public and private investment [in consultation with the affected communities] in order to eradicate poverty, particularly in those areas in which [list or generic description to replace: peoples and communities who are victims of racism, racial discrimination and exclusion/indigenous peoples, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities] predominantly live; ADOPTED at 2nd PrepCom

2. Urges States to:

(a) Recognize that sexual violence committed by or with the acquiescence of the State in the context of armed conflicts has been used as a tool of systematic forms of discrimination, abuse and genocide, and when used against non-combatant populations on the basis of race or ethnicity can/constitutes a serious violation of international law, international humanitarian law, and a gross violation of human rights, and that the intersection of race and gender makes women and girls particularly vulnerable to this type of violence that is often related to racism, racial discrimination, xenophobia and related intolerance;

(b) Ensure that perpetrators of sexual violence in armed conflicts and that persons in authority who tolerate, aid, abet and consent to its use are identified, investigated, prosecuted and punished;

[3. Recognizes that slavery, the slave trade, colonialism, and apartheid are major historical sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, and that Africans and peoples of African descent, peoples of Asian descent and indigenous peoples have been and continue to be victims of their consequences, and urges States and the international community to adopt appropriate remedial measures in order to halt and reverse the consequent marginalization, poverty, underdevelopment and socio-economic exclusion still affecting many such peoples in many parts of the world, in particular in developing countries;] ONGOING 2nd PrepCom

[4. Recognizes that foreign occupation, especially when grave breaches of the Fourth Geneva Convention of 1949 are committed, is among the forms and sources of racial and discriminatory practices, and urges the international community to take effective measures to protect peoples under foreign occupation from such practices;] ONGOING 2nd PrepCom

5. Urges States that participate in or permit contemporary forms of slavery-like practices to take all necessary and appropriate measures to end them and to initiate constructive dialogue and implement measures with a view to correcting the problem and the damage resulting from them;

II. VICTIMS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Sub-title: Victims: General

6. Urges States to take special measures to protect, in particular, persons and groups vulnerable to, affected by, or victims of racism, racial discrimination, xenophobia and related intolerance who are also subject to other/multiple forms of discrimination [on account of their gender, age, national origin, sexual orientation, social or economic status, physical or mental disability, state of health, religious belief or any other condition liable to give rise to discrimination or economic status, physical or mental disability, state of health, religious belief or any other condition liable to give rise to discrimination; ONGOING 2nd PrepCom

7. Urges States to give special attention to the elaboration of strategies, policies and programmes for persons subject to multiple discrimination which combines racism and racial discrimination, xenophobia and related intolerance with other forms of discrimination; ONGOING 2nd PrepCom

8. Calls upon Governments and States to ensure that our commitment to addressing past, present and future manifestations of racism, racial discrimination, xenophobia and related intolerance, vulnerable groups include, but are not limited to those who experience racism, racial discrimination, xenophobia and related intolerance because of race, lineage, colour, religion, culture, language or national or ethnic origin, aggravated by reasons of age, gender, sexual orientation, disability or socio-economic status and should allow for the inclusion of new groups who can become victims of racism, racial discrimination, xenophobia and related intolerance;

9. Urges States to work [nationally and] in cooperation with other States and relevant regional and international organizations and programmes to strengthen national mechanisms to promote and protect the human rights of [persons affected by, vulnerable to, or] victims of racism, racial discrimination, xenophobia and related intolerance who are infected, or

presumably infected, with pandemics such as HIV/AIDS and to take concrete measures, including preventive action, appropriate access to medication and treatment, programmes of education, training and mass media dissemination to eliminate violence, stigmatization, discrimination, unemployment and other negative consequences arising from these pandemics; ADOPTED at 2nd PrepCom

Sub-title: Africans and People of African Descent

10. Urges States to facilitate the participation of people of African descent in all political, economic, social and cultural aspects of society and in the advancement and economic development of their countries, and to promote a greater knowledge of and respect for their heritage and culture; ADOPTED at 2nd PrepCom

11. Requests the Commission on Human Rights to positively consider concentrating additional investments in health-care systems, education, public health, electricity, drinking water and environmental control as well as other affirmative action initiatives in communities of primarily African descent; ONGOING 2nd PrepCom

12. Calls upon the United Nations, financial institutions and other appropriate international mechanisms to develop programmes intended for people of African descent in the Americas and around the world, ONGOING 2nd PrepCom

13. Requests the Commission on Human Rights to consider the establishment of a working group or other mechanism in the United Nations to study the problems of racial discrimination faced by people of African descent living in the African Diaspora, and make proposals for the elimination of racial discrimination against people of African descent; ADOPTED at 2nd PrepCom

[14. Encourages/invites/urges financial and development institutions and the operational programmes and specialized agencies of the United Nations, in accordance with their regular budgets and the procedures of their governing bodies, to:

(a) Assign greater priority, and consider allocating more funding, within their areas of competence and budgets, to improving the situation of Africans and people of African descent,* while devoting special attention to the needs of these populations in developing countries, including, inter alia, the preparation of specific programmes of action;

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* The Working Group recommended that this paragraph be considered in conjunction with New 18 on indigenous peoples, and relevant paragraphs on migrants and other categories.

(b) Carry out special projects, through appropriate channels and in collaboration with Africans and people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas;

(c) Develop programmes intended for people of African descent around the world concentrating additional investments in health-care systems, education, public health, electricity, drinking water and environmental control, as well as other affirmative action initiatives;]

ONGOING 2nd PrepCom

15. Requests States to increase public actions and policies in favour of women and young males of African descent, given that racism affects them more deeply, placing them in a more marginalized and disadvantaged situation;

16. Urges States to ensure that African peoples, in particular African-descendant women and children, have access to education and new technologies that would offer them places and adequate resources for education and technological development and long-distance learning in local communities, and further urges States to ensure that the history and contribution of African peoples are fully and accurately incorporated into the education curriculum at all levels;

17. Encourages the public sector of States to identify the factors which prevent the access to and promotion of people of African descent in the public service and to take appropriate measures to remove the obstacles identified and encourages the private sector to revise its practices of personnel recruitment, remuneration and promotion, with a view to securing the presence of people of African descent at all levels of hierarchy;

18. Calls upon States to take specific steps to ensure full and effective access to the administration of justice of all citizens, particularly those of African descent;

19. Urges States to find a solution to problems of ownership in respect of land inhabited since ancestral times by people of African descent, according to their respective domestic legal framework, and to take steps to promote the comprehensive development of the people of African descent who occupy that land;

Sub-title: Indigenous

20. Urges/requests States:

(a) To officially recognize the identity and rights of indigenous peoples* within the framework of territorial integrity;**

(b) To adopt or continue to apply, in agreement with them, constitutional, administrative, legislative, judicial and all necessary measures to promote, protect and ensure the enjoyment by indigenous peoples of their rights, as well as to guarantee them the exercise of their human rights and fundamental freedoms on the basis of equality, non-discrimination and full and free participation in all areas of society, in particular in matters affecting or concerning their interests;

(c) To promote better knowledge of and respect for indigenous cultures and heritage. It welcomes measures already taken by States in this respect;

21. Urges States to work with indigenous peoples to stimulate and increase their economic activities and level of employment through the establishment, acquisition or expansion of enterprises owned by indigenous peoples, and measures such as training, technical assistance and credit facilities;

22. Urges States to work with indigenous peoples so as to establish and implement programmes that provide access to training and services that could benefit the development of their communities;

23. Requests States to adopt public policies and give impetus to programmes on behalf of indigenous women and girls, with a view to promoting their civil, political, economic, social and cultural rights; to putting an end to their situation of disadvantage for reasons of gender and race; to dealing with urgent problems affecting them in education, health, the economy and in the matter of violence against women, including domestic violence; and to eliminating/ending the situation of aggravated discrimination suffered by indigenous women and girls on multiple grounds of racism and gender discrimination;

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* The use of the term "peoples" in this document shall not be construed as having any implications as regards the rights that may attach to the term under international law.

** The notion of "territorial integrity" from former paragraph 77 is included in this merged text with the understanding that the original paragraph is bracketed.

24. Urges States to recognize officially the concept of peoples as subjects of law and to guarantee indigenous peoples' full and free participation in all aspects of society, in particular at national, regional and international forums dealing with their interests;

25. Recommends that States examine, in conformity with existing international standards, their constitutions, laws, legal systems and policies to identify and eradicate both explicit and inherent racism towards indigenous peoples and individuals. Such racist laws and policies include, by way of illustration: the doctrines of discovery and terra nullius; prohibitions against the collective indigenous ownership of land; the doctrine that indigenous lands can be taken without due process of law or adequate compensation; doctrines which provide for the unilateral extinguishment of indigenous land rights and title; the presumption that indigenous peoples do not own subsoil resources under their lands; doctrines that allow concessions of indigenous resources without indigenous consultation or consent; the denial of legal protection for indigenous religions and sacred sites and areas; denial of religious freedom for indigenous prisoners; and discriminatory land claim processes;

26. Strongly recommends that States renounce laws and policies that deny or limit indigenous land and resource rights, including rights to subsoil resources, and affirmatively recognize indigenous peoples as the rightful managers of their land and resources. States should, in consultation with indigenous peoples, initiate programmes to demarcate and protect indigenous territories;

27. Urges States to acknowledge and renounce their discriminatory legal doctrines and attitudes concerning treaties between indigenous nations and States and to take corrective actions related to the abrogation of treaty rights and the recognition of the status of such treaties. Furthermore, the World Conference urges the implementation of the recommendations contained in the study on treaties, agreements, and other arrangements between States and indigenous populations prepared by the Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights;

28. Calls upon States to honour and respect treaties with indigenous peoples as international agreements and to accord them recognition, observance and enforcement according to their original spirit and intent; conflicts and disputes which cannot otherwise be settled should be submitted to competent international bodies like the United Nations Permanent Forum on Indigenous Issues;

29. Calls upon States to give full and appropriate consideration to the recommendations produced by indigenous peoples in their own forums on the World Conference;

Sub-title: Migrants

30. Requests all States to condemn any proposal that would lead to a generalized rejection of migrants and actively to discourage all racist demonstrations that generate negative feelings of rejection against migrants;

31. Urges non-governmental organizations and civil society to include monitoring and protection of the human rights of migrants within their programmes and activities and to make efforts to sensitize Governments and public opinion about the need to prevent and punish unlawful acts based on racism, racial discrimination, xenophobia and related intolerance;

32. Requests States to fully and effectively promote and protect the human rights and fundamental freedoms of all migrants, as reflected in the Universal Declaration of Human Rights and the international human rights instruments to which they are parties, regardless of their immigration status, and in particular those of women, children and detainees, and to treat them with humanity and to give them legal protection and, where appropriate, material assistance including health care, as well as access to other social and economic rights, bearing in mind a gender perspective; they should also furnish information and education on the rights of migrants and adopt and promote integration policies;

33. Encourages States to engage in information campaigns to ensure that the public receives accurate information regarding migration issues, including the contribution of migrants to the host society and the vulnerability of migrants in an irregular situation;

34. Underlines that family reunification has a positive effect on integration and calls upon States to facilitate family reunion, with due regard to the need for family members to have an independent status;

35. Underlines that family reunification has a positive effect on integration and calls upon States to facilitate family reunion, with due regard to the need for family members to have an independent status. The World Conference urges all States to grant to asylum-seekers, refugees and migrants access to basic economic and social rights;

36. Recommends that States take concrete measures to avoid discriminatory practices with respect to vocational training, the type of posts that migrants may occupy, the type of contracts

accorded to migrant workers, the right to seek employment in any part of the country, regulations governing working conditions, trade union activity and access to judicial and administrative tribunals to air grievances concerning discrimination;

37. Urges States:

(a) To develop policies and action plans, and to reinforce and implement preventive measures, to foster greater harmony and tolerance between migrant workers and host societies with the aim of eliminating the growing manifestations of racism, racial discrimination, xenophobia and related intolerance, including acts of violence, perpetrated in many societies by individuals or groups and directed towards migrant workers and their families, persons of migrant origin and resident foreign workers;

(b) To review and revise their immigration laws, policies and practices so that they are free of discrimination against migrants and compatible with their obligations under international human rights instruments, including the prohibition of excessive use of force;

(c) To ensure the development of specific measures concerning migrants and [refugees] [non-nationals] which actively involve the host society and non-nationals in integration programmes and encourage respect for cultural diversity, to promote their fair treatment and to facilitate, where appropriate, their integration into social, cultural, political and economic life, and to promote their participation in the decision-making process;

(d) To monitor and ensure/pay increased attention to the non-discriminatory/fair and equitable treatment of migrants and refugees/non-nationals, regardless of their status, including asylum-seekers and refugees, as well as members of minority groups, detained by public authorities; specifically, these detainees should receive effective legal assistance and, where appropriate, the assistance of a competent interpreter, at all stages of their detention, particularly during interrogation;

(e) To ensure that police and immigration authorities respect, among other aspects, the standards regarding dignified and non-discriminatory treatment of migrants, through specialized training courses for administrators, police officers, immigration officials and other interested groups;

(f) To consider the question of the recognition of the professional and technical work of migrants, with a view to recognizing their contribution in their new countries of residence;

(g) To take measures to ensure that migrant workers and members of their families enjoy all human rights, particularly those related to fair remuneration, pensions, access to education, social services and protection of culture irrespective of their race, colour, descent, ethnic origin, gender, religion or political affiliation;

(h) To consider adopting and implementing immigration policies and programmes that would enable immigrant women and children who are victims of spousal or domestic violence to free themselves from abusive relationships; these policies could, for example, allow abused immigrant women to file for immigration relief without their abuser's knowledge and give them the ability to cooperate with law enforcement to prosecute the abusers;

38. With the increased proportion of women who are migrants, States are urged to place special focus on gender issues and gender discrimination, particularly the multiple barriers faced by women when gender, socio-economic class, race and ethnicity intersect; detailed research should be undertaken not only in respect of human rights violations perpetrated against women migrants, but also on the contribution that women make to the economies of their countries of origin and destination/host countries, in particular when reporting to treaty bodies;

Sub-title: Refugees

39. Urges States to comply with their obligations under international human rights, refugee and humanitarian law relating to the promotion and protection of the human rights of refugees, asylum-seekers, other forced migrants and internally displaced persons. They should also fulfil their humanitarian obligations/take seriously their humanitarian obligations/commitments regarding the protection and assistance needs of refugees and internally displaced persons, without discrimination between/among the different regions of the world, in keeping with the principles of international solidarity, the principles of international protection and international cooperation to share responsibilities, burden-sharing/responsibility sharing ~~and the resettlement of refugees in their countries;~~

40. Urges States to recognize the different barriers that refugees ~~and immigrants~~ face as they endeavour to participate in the economic, social, political and cultural life of their countries, and encourages States to develop strategies to facilitate, inter alia, the long-term integration of these persons into their new countries of residence and the full enjoyment by them of their human rights in consultation with the Office of the United Nations High Commissioner for Refugees and other organizations, as appropriate;

41. Urges States, in collaboration with the Office of the United Nations High Commissioner for Refugees and other relevant organizations, as appropriate, to take effective steps to protect internally displaced or refugee women and girls from violence and to investigate any such violations and bring those responsible to justice;

42. Calls for all measures relating to asylum-seekers and refugees to be fully in accordance with the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees, and urges all States to grant asylum-seekers, refugees and internally displaced persons access to economic, social and cultural rights in accordance with international human rights obligations;

43. [Urges Israel to revise its legislation based on racial or religious discrimination such as the law of return and all the policies of the occupying Power which prevent the Palestinian refugees and displaced persons from returning to their homes and properties, in violation of their right to return];

Sub-title: Other victims

44. [Urges States to take special measures to ensure that ~~every child, woman and man is~~ all individuals are registered and issued with/has access to appropriate national [legal identity] documents to reduce the incidence of statelessness and trafficking. [This preventive measure would], in order to protect individuals and gain them access to available legal procedures and remedies and development opportunities.]/Urges States to ensure that all persons have the necessary documentation and/or registration to enable them to access available legal procedures, remedies and development opportunities;

45. States should encourage the business sector, in particular the tourist industry and Internet providers, [to develop codes of conduct ~~with a view to protecting trafficked persons~~, with a view to preventing trafficking in persons and protecting the victims of such traffic, especially those in prostitution, against gender-based and racial discrimination and promoting their rights, dignity and security. States should encourage the establishment of independent civil society committees to monitor compliance with such codes of conduct/educate themselves on the global phenomenon of trafficking in migrants, and on the protection needs of trafficked persons, so as to avoid the risk of unwittingly participating in illegal activities];

46. Urges States to devise, enforce and strengthen effective measures at the national, regional and international levels to prevent, combat and eliminate all forms of trafficking in women and children, in particular girls, through comprehensive anti-trafficking strategies which include

legislative measures, prevention campaigns and information exchange. It also urges States to allocate resources, as appropriate, to provide comprehensive programmes designed to provide assistance to, protection for, healing, reintegration and rehabilitation into society of victims, including through job training, legal assistance and health care, and by taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of victims, and to prosecute offenders, including intermediaries;

47. Calls upon States to ensure that Roma children and youth, in particular girls, are provided equal access to quality education ~~as formulated in the recommendations of the High Commissioner on National Minorities for Security and Cooperation in Europe entitled Report on the Situation of Roma and Sinti in the OSCE Area, 2000, and by the Specialist Groups on Roma/Gypsies of the Council of Europe,~~ by developing dedicated policies and programmes with the input of parents and schools. These might include opportunities to learn the official language in pre-school, recruitment of Roma teachers and classroom assistants and opportunities to learn in their mother tongue ~~as guaranteed by article 4, paragraph 3, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 1992~~. It also urges Governments to take concrete measures and support the full development of Roma children's and youth's positive self-esteem, the deconstruction of their internalized stigma and Roma identity-awareness, by establishing identity-assertive education institutions, promoting Romani as a teaching language and ethnic-assertion education programmes in school and out of school, and developing alternative education systems, including non-formal education and distance education;

48. Underlines the need for States to pay particular attention, adopt immediate and concrete measures, develop effective policies and implementation mechanisms and exchange good practices to eradicate the widespread discrimination and persecution targeting Roma, Gypsies, Sinti and/Travellers and for their full achievement of equality, including through the establishment of structures and processes, in partnership with and more constructive cooperation between the public authorities and representatives/leaders of these groups/Roma, Gypsies, Sinti and Travellers, in order to ensure the proper enjoyment of all human rights by these groups, so that their needs can be identified and met;

49. Calls upon States to promote and implement legal provisions and public policies ensuring Roma communities' institutional development, their equal enjoyment of economic, social, cultural, civil and political rights, their equal access to development resources and their full

participation in decision-making process in central and local public administration, as recommended by the Committee on the Elimination of Racial Discrimination in its General Recommendation XXVII entitled "Discrimination against Roma". It also encourages them to provide the "Roma nomadic groups or Travellers [with] camping places for their caravans, with all necessary facilities";

50. Recommends that the intergovernmental organizations address, in their projects of cooperation with and assistance to various States, as appropriate, the situation of Roma communities and favour their economic, social, and cultural advancement;

51. [Calls for intensified efforts at educating the public about the history and extent of ~~anti-Roma racism~~, racism, racial discrimination, xenophobia and related intolerance against Roma, Gypsies, Sinti and Travellers, and about the contributions of the ~~Roma~~ culture and history of Roma, Gypsies, Sinti and Travellers, including by designing and implementing efficient public policies and programmes on intercultural education;]

52. Calls upon Governments to encourage awareness among professionals of all media of the particular responsibility not to disseminate prejudices and to avoid reporting incidents involving individual members of Roma communities in a way which blames such communities as a whole, and to encourage and facilitate Roma's access to media, newspapers, television and radio programmes and the establishment of their own media, as well as the formation and training of Roma journalists;

53. Urges States [in accordance with their obligations] to ensure that persons belonging to [racial] national or ethnic, religious and linguistic minorities can exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, and also urges States and the international community to promote and protect the rights of such persons, including through the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of the country. [In the exercise of their rights and freedoms all persons, including such minorities, shall respect the legislation of the State they reside in and respect the rights of others]; ADOPTED at 2nd PrepCom

54. Governments should guarantee the right of persons belonging to national or ethnic, religious and linguistic minorities, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language, in private and in public, freely and without interference or any form of discrimination;

55. Governments should create favourable conditions and take measures to/that will enable persons belonging to racial, cultural, linguistic, religious, national or ethnic minorities within their jurisdiction to express their identity ~~characteristics~~ freely and to develop their education, culture, language, traditions and customs and to participate ~~on a non-discriminatory and equitable basis~~ effectively in the cultural, social, economic and political life of the country in which they live in a manner which ensures that gender equality and the full enjoyment of all human rights by women are not undermined;

56. Notes that there are a number of concepts of cultural, [territorial] and administrative autonomy that are in line with the principles and norms of international law. Such concepts may constitute practical ways to preserve and promote the ethnic, cultural, linguistic and religious identity of a national minority within the State of its residence. In maintaining their culture and traditions, these persons should be in a position to develop the necessary contacts inside and outside the State of their residence/their country with due respect for the sovereignty and territorial integrity of the latter, the principle of non-interference by one State in the internal affairs of another and the political independence of the States concerned;

57. Urges States to incorporate a gender perspective into all programmes of action against racism, racial discrimination, xenophobia and related intolerance and to consider the burden of such discrimination which falls particularly on [generic description] indigenous women, African women, Asian women, women of African descent, women of Asian descent, women migrants and women from other disadvantaged groups, ensuring their access to the resources of production on an equal footing with men, as a means of promoting their participation in the economic and productive development of their communities; ADOPTED at 2nd PrepCom

58. Urges [Governments] and States [to integrate a gender perspective in policies and action to combat racism and/with a view to empower~~ing~~ women in the society belonging to ~~vulnerable groups~~ to claim ~~respect for~~ their rights in all spheres of public and private life;]

59. Urges States to involve women, especially women victims of racism, racial discrimination, xenophobia and related intolerance, in decision-making at all levels when working towards the eradication of such discrimination, and to develop concrete measures to incorporate race/gender analysis in the implementation of all aspects of the Programme of Action and national plans of action, particularly in the fields of employment programmes and services and resource allocation; ADOPTED at 2nd PrepCom

60. Urges States to examine the intersection of multiple forms of discrimination, including their root causes, from a gender perspective with special emphasis on gender-based racial discrimination in order to develop and implement strategies, policies and programmes aimed at the elimination of all forms of discrimination against women;

61. Urges Governments to undertake a gender analysis on all poverty eradication measures, including those designed to benefit ethnically disadvantaged groups;

62. Underlines the importance of empowering women and girls belonging to targeted groups, of promoting and protecting the human rights of all women and girls, ~~to demand respect for their rights in all spheres of public and private life~~ and of ensuring the full, equal and effective participation of women in decision-making at all levels, in particular ~~play an active role~~ in the design and implementation and evaluation of policies and measures which affect their lives;

63. Urges States:

(a) To fully respect international human rights law and international humanitarian law applicable to the rights and protection of women and girls;

(b) To recognize that sexual violence committed by or with the acquiescence of the State in the context of armed conflict has been used as a tool of systematic forms of discrimination, abuse and genocide and, when used against non-combatant populations on the basis of race or ethnicity, can/constitute(s) a serious violation of international law and international humanitarian law and a gross violation of human rights, and that the intersection of race and gender makes women and girls particularly vulnerable to this type of violence which is often related to racism, racial discrimination, xenophobia and related intolerance;

(c) To end impunity and prosecute those responsible for genocide, crimes against humanity and war crimes, including crimes related to sexual and other gender-based violence against women and girls, as well as to ensure that persons in authority who tolerate, aid, abet and consent to the use of sexual and gender-based violence are identified, investigated, prosecuted and punished;

(d) To take special measures to protect women and girls from gender-based violence, particularly rape and all other forms of sexual violence, during armed conflict;

64. Urges States to pay special attention to situations of racism, racial discrimination, xenophobia and related intolerance when designing policies, strategies and programmes for children, [in particular, girls and children living in especially difficult circumstances, situations of exploitation or in need of special protection, among others: (a) abandoned or displaced

children; (b) children who live or work in the street; (c) child labourers; (d) child victims of trafficking and economic exploitation; (e) sexually exploited and abused children; (f) children affected by armed conflict; and (g) child victims of poverty/children orphaned by AIDS; (h) children separated from their parents/families, migrant children, children belonging to ethnic minorities, asylum-seekers and refugees]; ONGOING 2nd PrepCom

65. Requests States ~~and~~ as well as international organizations to provide protection against acts of racism, racial discrimination, xenophobia and related intolerance against children, particularly those who find themselves in circumstances of particular vulnerability;

66. Urges States to guarantee the immediate registration of birth of each child in order to ensure all children protection of their human rights without discrimination, especially their economic, social and cultural rights;

67. Urge States, non-governmental organizations and the private sector to consider persons with physical and mental disabilities as one of the vulnerable groups of the population and victims of discrimination at the systematic, cultural and individual levels, even more so when they come from disadvantaged groups; also urges States to legislate specific measures to ensure that such persons have access to regular services such as health services, adapted housing, public accommodations, transportation, communication, recreation, voting and equal opportunity with regard to equal employment, education and other basic public services; further urges States to take steps in order to redress their economic situation, the consequence of the discriminatory attitude in job integration, and to consider the adoption of clear, strong, consistent and enforceable standards addressing discrimination against them;

III. MEASURES OF PREVENTION, EDUCATION AND PROTECTION AIMED AT THE ERADICATION OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

68. Urges States to adopt and implement effective measures, in addition to anti-discrimination legislation and mechanisms, which encourage their citizens to take a stand against racism, prejudice and intolerance, and to capitalize on the racial, cultural, social and religious diversity of their nation in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, fairness and friendship, tolerance and respect within and between

communities, in particular through public information, education and training programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes where Government works in partnership with business and civil society;

69. Urges States to adopt or strengthen, as appropriate, national programmes for eradicating poverty which take account of the needs and experiences of [indigenous ~~populations~~ peoples, people of African descent, ~~people of minority descent,~~ migrants, refugees, asylum-seekers ~~and~~ other ethnic, racial, cultural, religious and linguistic groups or minorities], /individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, and also requests that they expand their efforts to foster bilateral, regional and international cooperation in implementing those programmes;

70. Urges those States in which the political and legal systems that do not reflect the multi-racial, multi-ethnic, multi-lingual and multi-cultural realities of their societies to review such systems in consultation with the representatives of the affected groups, with a view to improving democratic institutions so that they are more fully participatory and avoid marginalization, exclusion and discrimination against specific sectors of society, including indigenous peoples, people of African descent, migrants and other victims of racism;

71. Calls for the development of effective legislative, policy and programme measures at the national, regional and international levels that will contribute to the elimination of propaganda that promotes racism, racial discrimination, xenophobia and related intolerance;

72. Requests States to take the necessary measures to address, through policies and programmes, racism and racially motivated violence against women and girls and to increase cooperation, policy responses, effective implementation of national legislation and other protective and preventive measures aimed at the elimination of all forms of violence against women and girls;

A. National level

1. Legislative, judicial, regulatory, administrative and other measures to prevent and protect against racism and related discrimination

73. Urges States to establish and implement/apply without delay national policies and action plans to combat racism, racial discrimination, xenophobia, [anti-Semitism] Islamophobia and related intolerance, including their gender-based manifestations;

74. Requests States to [double] make all possible efforts to reassert their commitment to eradicating racism, racial discrimination, xenophobia and related intolerance in order to improve human well-being, promote more inclusive and participatory societies and eradicate poverty. All these objectives require both the effort of Governments and the collective commitment and efforts of the international community;

75. Recognizes that the success of this Plan of Action will require political will, adequate funding at the national, regional and international levels, including, in some circumstances, new and additional resources, particularly for developing countries;

76. Urges States to reaffirm their democratic commitment and take the necessary legislative and judicial measures in accordance with their obligations under the regional and international human rights instruments, and to adopt and implement strictly stringent laws which condemn and actively discourage/to prohibit and prosecute, and outlaw all forms of propaganda, publicity, organizations, associations, political parties or groups based on ideas, theories or doctrines of the superiority of one race, nation or ethnic group and that seek to justify or promote racial hatred, xenophobia or racial discrimination and which recognize that participation in such organizations is an offence punishable by law;

77. Urges States to fully and more effectively apply existing legislation concerning the dissolution of organizations promoting racism, racial discrimination, xenophobia, anti-Semitism, Islamophobia, other forms of religious discrimination, ~~Negrophobia~~, anti-Black racism, anti-Roma racism, discrimination against indigenous peoples, anti-Asian racism, anti-Arab discrimination, [homophobia] and related intolerance and to prosecute those organizations' members breaching the law and to [consider the possibility of declaring]/[outlaw] membership in organizations promoting racism, racial discrimination, xenophobia, anti-Semitism and related intolerance a criminal offence;

78. Urges States to design or reinforce, promote and implement effective legislative and administrative policies, as well as other preventive measures, against the serious situation experienced by certain groups of workers, including migrant workers, persons of migrant origin and foreign workers, who are vulnerable to racism, racial discrimination, xenophobia and related intolerance, including persons involved in prostitution and others who may be exploited or victims of illegal trafficking. Special attention should be given to protecting foreign domestic workers from discrimination and violence, as well as combating prejudice against them;

79. Calls upon States to comply with their obligations under applicable international human rights instruments and domestic human rights and labour laws in protecting the rights of migrants and their families;

80. Urges States [to adopt and implement, or strengthen ~~wherever necessary~~, national legislation and administrative measures that expressly and specifically counter racism and prohibit racial discrimination, whether direct or indirect, in all spheres of public life in conformity with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination without making limiting reservations and to review existing measures with a view to amending or revising national legislation and administrative provisions that may give rise to discrimination;

81. Urges States to assess and review legislation and administrative measures to ensure their ongoing efficacy and to amend, rescind or nullify, as required, laws and regulations which create, perpetuate or contribute to racism, racial discrimination, xenophobia and related intolerance;

82. [Encourages/urges all States to enact and implement, as appropriate, laws against trafficking in persons and smuggling of migrants, and to take into account, in particular, policies and practices that endanger their lives or lead to various kinds of servitude and exploitation, such as debt bondage, slavery and sexual or labour exploitation; also encourages States to create, as appropriate, inter-ministerial task forces or national focal points to combat trafficking in persons, to allocate resources to ensure law enforcement and the creation of adequate judicial institutions to deal with such cases, and to reinforce bilateral, regional and international cooperation, including with non-governmental organizations that assist victims to combat this traffic;]

83. Urges States to take all necessary constitutional, legislative and administrative measures to foster equality among individuals and groups who are affected by, vulnerable to, or victims of racism, racial discrimination, xenophobia and related intolerance, and to review existing measures with a view to amending or repealing national legislation and administrative provisions that may give rise to such forms of discrimination; ADOPTED at 2nd PrepCom

84. Encourages States, as preventive measures, to establish mechanisms for examining and reviewing the conformity of draft legislation with principles of non-discrimination on the basis of race, ethnic or national origin, religion or belief, especially in relation to potentially discriminatory effects, including all forms of multiple discrimination, against persons belonging

to targeted groups, and emphasizes that individuals belonging to targeted groups should be invited and encouraged to participate in the design and development of preventive policies and measures;

85. Urges States to ensure that the conduct of trials and the imposition of sentences do not discriminate on grounds relating to racism; in particular, countries where the death penalty is still imposed should investigate any disproportionate impact of such penalty on racial groups and declare a moratorium on executions pending such investigations;

86. Urges States to take the necessary measures to ensure that no person will be expelled, extradited or returned to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to torture or persecution on account of his or her [race, religion, nationality, membership of a particular social group or political opinion] racial, ethnic, cultural, religious, linguistic, ~~or~~ national origin [or political affiliation];

87. Urges States, non-governmental organizations and the private sector to compile and publish statistics on incidents and complaints of police brutality on a regular basis to determine whether criminal justice policies or programmes have an unjustified disparate impact on racial and ethnic minorities, with a view to identifying and eliminating these practices. These statistics should include the race, ethnicity and gender of the perpetrator and the victim;

88. Urges States to work with law enforcement agencies in designing, implementing and enforcing effective policies and programmes to prevent, detect and ensure accountability for incidents of police misconduct motivated by race or ethnic origin, to prosecute such police misconduct and to eliminate "racial profiling" by law enforcement officials or the use of race or ethnicity as the sole basis for determining if an individual is engaged in criminal activity;

89. Urges States to take measures to prevent the use of scientific and technological progress in genetic research to promote racism, racial discrimination, xenophobia and related intolerance, to protect the individual privacy of the information contained in the human genetic code;

90. Urges States, non-governmental organizations and the private sector:

(a) To create and implement policies that promote a high-quality and diverse police force free from discrimination on the basis of race, and recruit actively all groups, including minorities, into public employment, including the police force and other agencies within the criminal justice system (such as prosecutors);

(b) To work to reduce violence, including violence motivated by race, colour, descent or national or ethnic origin, by:

(i) Developing educational materials to teach young people the importance of tolerance and respect;

(ii) Addressing bias before it manifests itself in violent criminal activity;

(iii) Establishing working groups consisting of, among others, local community leaders and national and local law enforcement officials, to improve coordination, community involvement, training, education and data collection, with the aim of preventing such violent criminal activity;

(iv) Ensuring that civil rights laws that prohibit violent criminal activity are strongly enforced;

(v) Enhancing data collection regarding violence motivated by race, colour, descent or national or ethnic origin;

(vi) Providing appropriate assistance to victims, and public education to prevent future incidents of violence motivated by race, colour, descent or national or ethnic origin.

Ratification of and effective implementation of relevant international and regional legal instruments on human rights and non-discrimination

91. Urges States that have not yet done so to consider ratifying or acceding to the international human rights instruments which combat racism, racial discrimination, xenophobia and related intolerance, in particular to accede to the International Convention on the Elimination of All Forms of Racial Discrimination as a matter of urgency, with a view to universal ratification by the year 2005, and to consider making the declaration envisaged under article 14, to comply with their reporting obligations, and to publish and act upon the concluding observations of the Committee on the Elimination of Racial Discrimination. It also urges States to limit, review or consider the withdrawal of reservations that are incompatible with the purposes and objectives of the Convention;

92. Urges States to give the utmost importance to the observations and recommendations of the Committee on the Elimination of Racial Discrimination. To that effect, States should consider setting up appropriate national monitoring and evaluation mechanisms to ensure that

these observations and recommendations are duly addressed and that the relevant legislation is effectively implemented and that all necessary steps are taken to promote national harmony, equality of opportunity and good social inter-relations;

93. Urges States to declare an offence punishable by law and to take legal actions ex officio against all acts of racial discrimination under the International Convention on the Elimination of All Forms of Racial Discrimination/to fully and more effectively apply existing legislation concerning the dissolution of organizations promoting racism, racial discrimination, xenophobia, anti-Semitism and related intolerance and prosecute those members breaching the law, and to consider the possibility of declaring the membership in organizations promoting racism, racial discrimination, xenophobia, anti-Semitism and related intolerance a criminal offence;

94. Requests/urges States that have not yet done so without delay to sign and ratify, or accede to/consider signing and ratifying or acceding to and implementing fully the following instruments:

(a) The Convention against Discrimination in Education, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization;

(b) The Convention on the Elimination of All Forms of Discrimination against Women, with a view to achieving universal ratification within five years, and to consider signing and ratifying or acceding to its Optional Protocol;

(c) The Convention on the Rights of the Child, the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization;

(d) The Indigenous and Tribal Peoples Convention, 1989 and (No. 169) of the International Labour Organization and the Convention on Biological Diversity, and revise Convention No. 169, in consultation with indigenous peoples, to overcome its deficiencies, in order to progress in the eradication of racism, racial discrimination, xenophobia and related intolerance;

(e) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990, and to prohibit and prevent discriminatory treatment against foreigners and migrant workers, inter alia concerning the granting of visas, work permits, family conditions, housing and access to justice, based on race, colour, descent or national or ethnic origin;

(f) The Rome Statute of the International Criminal Court;

(g) The United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the Convention, in order to end practices that lead to various kinds of servitude and exploitation such as debt bondage, slavery and sexual or labour exploitation;

95. Calls on States to promote the exercise of the rights set out in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by General Assembly resolution 36/55, of 25 November 1981 in order to obviate religious discrimination against people of African descent;

96. Urges States to seek full respect for, and compliance with, the Vienna Convention on Consular Relations of 1963, especially as it relates to the right of foreign nationals, regardless of their immigration status, to communicate with a consular officer of their own State in the case of arrest or detention;

97. [~~Calls upon~~ Urges all States that have not yet done so to consider ratifying or acceding to ~~to ratify~~ [the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and] the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) of the International Labour Organization, and to prohibit and prevent discriminatory treatment against foreigners and migrant workers, inter alia concerning the granting of visas, work permits, family conditions, housing and access to justice, based on race, colour, descent or national or ethnic origin.];

98. Underlines the importance of combating impunity, including for crimes with a racist or xenophobic motivation, also at the international level [noting that impunity for violations of human rights and international humanitarian law is a serious obstacle to political stability and sustainable development]; it also fully supports the work of the existing international criminal tribunals and the adoption of the Statute of the International Criminal Court;

99. [~~Calls upon~~ Urges States that have not yet done so to consider ratifying or acceding to ~~to ratify~~ international standards/instruments that prohibit discrimination in employment and occupation, in particular the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labour Organization, and to apply the Declaration on Fundamental Principles and Rights at Work of 1998 of the International Labour Organization;]

100. Urges States to apply the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2), particularly those provisions relating to non-discrimination, where applicable;]

101. Urges States to take appropriate measures for the implementation of the rights of the child without discrimination, and with regard to economic, social and cultural rights to the maximum extent of available resources and, where needed, within the framework of international cooperation;

Prosecution of perpetrators of racist acts

102. Urges States: to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance; to take measures so that such motivations will be considered an aggravating factor for the purposes of sentencing; to prevent these crimes from going unpunished; and to ensure the rule of law;

103. Urges States to undertake investigations to examine possible links between criminal prosecution, police violence and penal sanctions, [including the application of the death penalty] [in particular against vulnerable groups and individuals] on the one hand, and racism, racial discrimination, xenophobia and related intolerance, on the other, so as to have evidence for taking the necessary steps for the eradication of any such links and discriminatory practices;

ADOPTED at 2nd PrepCom

104. Recalls the negative influence of right-wing, neo-fascist, nationalist and racial ideologies on young people, and calls for special measures to eliminate it;

105. Urges/calls upon States

To bring to justice those responsible for expression of incitement to racial hatred, defamation of nation or race, support or promotion of movement seeking to suppress citizens' rights and freedoms, denial of [Holocaust[s] or [genocide] racist acts ~~and the~~ of violence or intimidation ~~to which they give rise~~, and also to ensure the protection,/respecting the necessary distinction ~~between the prohibition of racial discrimination and the enjoyment~~ of the right to freedom of expression in the ~~in/ensuring~~ the prohibition of racial discrimination ~~in the enjoyment of the right to freedom of expression~~;]/

To bring to justice those responsible for crimes motivated by racism, racial discrimination, xenophobia and related intolerance and the violence to which they give rise, ensuring that in efforts to combat such crimes, States find a balance between the principle of freedom of expression and the ~~goal~~ principle of eradication of racist and hateful speech;]/

To bring before national and international tribunals those responsible for racist acts, racial hatred and violence perpetrated against those groups that are most vulnerable. States undertake to prohibit all forms of discrimination and to suppress laws that constitute an obstacle to inter-community relations and mutual cooperation;/

To bring to justice those responsible for racist acts and the violence to which they give rise and to ensure the prohibition of all manifestations of racism, racial discrimination and xenophobia in the exercise of the right to freedom of expression;

106. Calls upon Governments and States:

(a) To enact, as a matter of priority, appropriate legislation and take other measures required to give full effect to their obligations under international humanitarian law, in particular in relation to the rule prohibiting discrimination;

(b) To adopt legislation prohibiting, in particular, for the prosecution and punishment of persons suspected of having committed or having ordered to be committed grave breaches of the Geneva Conventions of 12 August 1949 and Additional Protocol I thereto and of other serious violations of the laws and customs of war, in particular in relation to the rules prohibiting discrimination;

107. Calls upon States to criminalize trafficking in women and children in all its forms and to condemn and penalize traffickers and intermediaries, while ensuring protection and assistance to the victims of trafficking with full respect for their human rights;

108. Urges States, non-governmental organizations and the private sector to work to ensure that violence motivated by race, colour, descent or national or ethnic origin is prosecuted with the same vigour as other similarly serious crimes;

109. Urges States to carry out exhaustive, timely and impartial investigations of all acts of racism and racial discrimination and to prosecute offences of a racist or xenophobic nature ex officio, to ensure that criminal prosecution of offences of a racist or xenophobic nature is given high priority and is actively and consistently undertaken, to ensure the right to equal treatment before the tribunals and all other organs administering justice. In this regard, the World Conference underlines the importance of fostering awareness and providing training to the various agents in the criminal justice system to ensure fair and impartial application of the law. In this regard, the World Conference draws attention to the importance of collecting and publishing adequate data, broken down by sex and age, on the number and nature of racist and

xenophobic incidents or offences, the number of cases prosecuted or the reasons for non-prosecution and the outcome of prosecutions. In this respect, it recommends that anti-discrimination monitoring services be established;

Establishment and reinforcement of independent specialized national institutions and mediation

110. Urges States, as appropriate, to establish, strengthen, review and reinforce the effectiveness of human rights bodies/institutions, [(public defenders, human rights attorneys, ombudsmen, etc.)] which ~~must~~ [should] have the following characteristics:

(a) Conform to the principles regarding the status of national institutions for the promotion and protection of human rights (the "Paris principles");

(b) Contain a unit specialized in racial discrimination;

(c) Have a broad mandate in terms of both issues and capacities;

(d) Have competence on issues of racism, racial discrimination, xenophobia and related intolerance;

(e) Be visible and accessible to the population;

(f) Be able to initiate investigations, issue recommendations and institute legal proceedings in cases of racial discrimination and, as appropriate ~~inter alia~~, have the capacity to receive, investigate and mediate complaints and, where appropriate, to refer such complaints to the justice system for appropriate action;

(g) Reflect the diversity of the country and be representative of the population they serve;

The World Conference further calls upon States to provide them with adequate financial resources, competence and capacity;

111. Also urges States:

(a) To foster cooperation between these institutions and other national institutions;

(b) To take steps to [ensure that by [members of groups which are victims of or vulnerable to] individuals or groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance [can participate fully in these institutions];

(c) To support national human rights institutions or similar bodies responsible for combating racism, racial discrimination, xenophobia and related intolerance, inter alia through the publication and circulation of existing national laws and jurisprudence, and cooperation with

institutions in other countries so that knowledge can be gained of the manifestations, functioning and mechanisms of these practices and the strategies designed to prevent, combat and eradicate them;

2. Policies and practices

Data collection and disaggregation, research and study

112. Urges States:

(a) To collect, compile and disseminate data on the situation of groups which are victims of discrimination, providing information on the composition of their populations according to race, colour, nationality, national origin, ethnicity, religion, sex, age and other factors, as appropriate, for, inter alia, the development and evaluation of policies with respect to human rights, including those ~~against~~ that address racism, racial discrimination, xenophobia and related intolerance. The collection of such data should/may take into account the self-definition of these groups;

(b) To promote quantitative, qualitative and gender-sensitive research on the subject with the full and equal participation of those being researched;

(c) To institute routine monitoring of racist acts at the local and national levels and of the situation of marginalized racial and ethnic groups, [through periodic sampling and compilation of statistical information collected and analysed disaggregated by sex, age, race ~~or~~ ethnic group/ethnicity and national origin, particularly with regard to such fundamental economic and social indicators as infant mortality rate, life expectancy, literacy rate, level of education, access to employment, housing and health services, and average disposable income.] [Special attention should be paid to research into the impact of racial discrimination on the enjoyment of those rights, and to the publication of the conclusions.];

(d) To ensure that institutions responsible for providing statistical information on the population take explicit account of the existence of [indigenous peoples, people of varying descent and other ethnic groups,] ~~capturing the component parts of their diversity according to their needs~~ and obtain data on relevant and appropriate characteristics, design~~ing~~ strategies to evaluate ~~the human rights~~ all policies concerning ethnic groups. To that end, it recommends the development of voluntary, consensual and participatory strategies for these communities in the processes of collecting and using information;

(e) To share/exchange experiences and successful practices with other States;

113. [Governments should collect] The World Conference further invites States:

(a) To collect or examine ways of collecting better statistical data and analyse them in order to identify how legislation and policy affect children's lives, ensuring that any data collected on race, colour, descent, religion, language, national or ethnic origin/ethnicity, nationality, religion, descent, etc. will not be misused;

(b) To compile and publish data to determine the extent to which people with disabilities, including those from disadvantaged groups, are not receiving basic social services so that States can develop specific policies and programmes to remedy this type of exclusion;

114. Urges States to ensure that all data and information shall be collected in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees;

115. [Government efforts to design policies aimed at combating racial discrimination, xenophobia and related intolerance should be based on reliable statistical data and other quantitative information including qualitative research done, and priorities identified by Roma themselves reflecting as accurately as possible the status of the ~~Roma in society~~ Roma, Gypsies, Sinti and Travellers in society. Such information should be collected in accordance with human rights principles and in consultation with the persons concerned, and protected against abuse through data protection and privacy guarantees./ All such information shall be collected in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees.];

116. Invites States to promote the study and adoption of an integral, objective and long-term approach to all phases and aspects of migration, which will deal effectively with both its causes and manifestations and pay special attention to the prevention and punishment of illegal acts motivated by racism, racial discrimination, xenophobia and related intolerance, wherever they may occur;

117. Recommends that further studies be conducted on how racism, racial discrimination, xenophobia and related intolerance may be/are reflected in laws, policies, institutions and practices and how this may have/has contributed to the vulnerability, victimization and exclusion of migrants, especially women and children;

118. Invites the international institutions to study the causes of migrations in specific cases and to cooperate with the countries of origin in addressing the causes of migratory flows;

119. Calls for studies to address the effects of economic globalization on migration trends and the resurgence of racism, racial discrimination, xenophobia and related intolerance;

120. Urges States to compile and publish, where appropriate, statistical data disaggregated by race and ethnicity to determine whether employment policies or programmes have an unjustified disparate impact on racial and ethnic minorities, and to support the development of specific policies or programmes;

121. Urges Governments, non-governmental organizations and the private sector to takes steps to improve the collection, analysis and use of data disaggregated by race and ethnicity to reduce disparities in access to health care and improve the overall health status and health outcomes of minority and indigenous populations;

122. Recommends that States include in their periodic reports to the treaty bodies, in an appropriate form, data about the Roma communities within their jurisdiction, including statistical data about Roma participations in political life and about their economic, social and cultural situation;

Action-oriented policies and action plans, including affirmative action to ensure non-discrimination, in particular as regards access to social services, employment, housing, education, health care, etc.

123. Urges States to promote [strive for] full and effective ~~equality~~ justice for/to all without discrimination by providing appropriate affirmative action, especially to vulnerable groups victims of discrimination, ~~by ensuring~~ equity, social justice and fair distribution of aid and community strategies and economic, political and social participation/[equality of opportunity] through adoption and exchange of good practices on implementation of legal and policy measures;

124. Urges States to take concrete measures to promote equality based on the elimination of gender and racial prejudice in all fields through, inter alia, improving access to education, health care, employment and other basic services to promote full enjoyment of economic, social and cultural rights;

125. Urges States to establish, on the basis of existing statistical information, national programmes, including ~~affirmative action~~ positive measures, to promote the access of individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related

intolerance ~~indigenous people,~~ [people of varying descent,] ~~migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities~~ to education, medical care and basic social services, including primary education and basic health care;

126. Recommends that host countries for migrants consider the provision of adequate services in the areas of health, education and accommodation as a matter of priority in their cooperation measures with the United Nations agencies, the Organization of American States and international financial bodies, and also requests that these agencies provide an adequate response to requests for such services;

127. Urges States to establish national programmes to promote the access, without any discrimination, of people of African descent, Mestizos, migrants and other ethnic, racial, cultural, linguistic and religious groups, minorities, and indigenous peoples, where they exist, to education, medical care and other social services and to eliminate by the year 2010 the disparities these groups experience, inter alia in infant mortality rate, childhood immunization, HIV/AIDS, heart disease, cancer and contagious diseases;

128. Urges States to specifically include prohibition of direct and indirect discrimination on grounds of actual or presumed nationality or national origin in civil, administrative and labour law in order to combat effectively discrimination against non-nationals, particularly migrant workers and refugees. National anti-discrimination legislation should specifically include access to and provision for effective judicial, administrative and other remedies for non-citizens;

129. Urges States to prevent and eliminate, where they exist, racially discriminatory policies and practices in access to public and private employment, business opportunities, development programmes [and occupation], education, housing and health care and to promote policies which seek to improve the prospects of targeted groups facing, inter alia, the greatest obstacles in finding, keeping or regaining work, including skilled employment. Particular attention should be paid to persons subject to multiple discrimination;

130. Urges Governments to counter social exclusion and marginalization of racial, ethnic, cultural, religious, linguistic and national minorities, in particular by providing de facto equal access to education, health services, employment and housing;

131. In the field of public and private housing, authorities should promote the successful cohabitation of different social groups at the planning stage of urban development schemes as well as renovate neglected areas of public housing so as to counter social exclusion;

Immigration policies

132. Urges States to consider policies and programmes to reduce income and wealth inequality, recognizing the close association between poverty and racism, racial discrimination, xenophobia and related intolerance. The World Conference also requests States to take additional steps to protect economic, political, social and cultural rights on a non-discriminatory basis, by ensuring an increase in the delivery of public services and access to social justice and rights for indigenous peoples, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities;

133. Calls upon States to adopt or strengthen, as required, laws, strategies, programmes and policies, including affirmative action, to promote and protect the rights of victims of racism, racial discrimination, xenophobia and related intolerance, including their effective access to justice and judicial remedies free from racial discrimination of any kind;

134. To ~~guarantee and~~ promote [strive for] full and effective ~~equality~~ justice for/to all without discrimination by providing appropriate affirmative action, especially to vulnerable groups victims of discrimination,/~~by ensuring~~ equity, social justice and fair distribution of aid and community strategies and economic, political and social participation/[equality of opportunity] through adoption and exchange of good practices on implementation of legal and policy measures;

Employment

135. ~~Invites~~ Urges States to promote and support where appropriate the organization and operation of enterprises owned by indigenous people, people of minority descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities by favouring/facilitating equal/promoting equal access to credits and training programmes;

136. Urges Governments, non-governmental organizations, and the private sector:

(a) To support the creation of workplaces free of discrimination through a multifaceted strategy that includes civil rights enforcement, public education and communication within the workplace, and to promote and protect the rights of workers who are subject to racism, racial discrimination, xenophobia and related intolerance;

(b) To foster the creation, growth and expansion of businesses dedicated to improving economic and educational conditions in underserved and disadvantaged areas, by increasing access to capital through, inter alia, community development banks, recognizing that

new businesses can have a positive, dynamic impact on communities in need, and to work with the private sector to create jobs, help retain existing jobs, and stimulate industrial and commercial growth in economically distressed areas;

137. Urges States to give special attention, when promoting and implementing legislative and judicial policies designed to give workers adequate protection, to the serious situation of lack of protection and, in some cases, the exploitation or trafficking of victims of racism, racial discrimination, xenophobia and related intolerance, a situation that allows or facilitates confinement, as in the case of domestic workers and dangerous and badly paid jobs;

138. Urges States to avoid the negative effects of discriminatory practices, racism and xenophobia in employment and occupation by promoting the application and observance of international instruments and norms on workers' rights, [including the Declaration on Fundamental Principles and Rights at Work]. It also urges States to continue their efforts to protect the rights of workers who are particularly vulnerable to racism, racial discrimination, xenophobia and related intolerance, including those who may be discriminated against on multiple grounds;

139. Encourages States to consider taking measures to increase the recruitment, retention and promotion of women and men [belonging to] ~~targeted~~ all groups, including racial and ethnic minorities/affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, to the teaching profession and guarantee them effective equality of access to it. Particular efforts should be made to recruit women and men who have the ability to interact effectively with all groups;

140. Calls upon all States to recognize the importance of the involvement and participation of all persons affected and to encourage trade unions, the business sector and employers to work together in the formulation and implementation of policies and programmes to ensure non-discrimination and equality in the workplace;

141. Calls upon all States to provide protection to victims of racism, racial discrimination, xenophobia and related intolerance at the workplace through access to effective labour - and employment - relevant administrative institutions and processes, legal procedures and other remedial action;

Health, environment

142. Urges States, individually and through international cooperation, to enhance measures to fulfill the right of everyone to the enjoyment of the highest attainable standard of physical and

mental health, with a view to eliminating disparities in health status, as indicated in standard health indexes, which might result from racism, racial discrimination, xenophobia and related intolerance; ADOPTED

143. Urges Governments, non-governmental organizations, and the private sector:

(a) To provide effective mechanisms for monitoring and eliminating racial and ethnic discrimination in the health care system, such as the development and enforcement of effective anti-discrimination laws;

(b) To take steps to ensure equal access to comprehensive, quality health care for all, including primary health care to medically underserved people, facilitate training of a health workforce that is both diverse and motivated to work in underserved communities, and work to increase diversity in the health-care profession by recruiting promising and talented women and men from all groups, including racial and ethnic minorities, for health care careers and retaining them in the health professions. Particular efforts should be made to recruit women and men who have the ability to interact effectively with all groups;

(c) To work with health care professionals, community-based health providers, non-governmental organizations, faith-based organizations, scientific researchers and private industry to expand the knowledge base about racial and ethnic health disparities and to improve the health outcomes of minority and indigenous populations;

(d) To adopt and implement policies and programmes to improve HIV/AIDS prevention efforts in high-risk communities and work to expand availability of HIV/AIDS care, treatment and other support services;

144. Urges States to take measures and to set targets to ensure the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with a view to eliminating disparities in health status;

145. Urges States, non-governmental organizations and the private sector to take steps to improve access to public information on health and environmental issues by all people, including those affected by racism, racial discrimination, xenophobia and related intolerance; identify and address the adverse effects of government policies and programmes on the human health and environment in targeted areas; and promote compliance with and enforcement of all health and environmental laws, including in areas inhabited by racial or ethnic minorities, indigenous peoples, or low-income populations;

146. Urges States to adopt measures to provide a proper/safe and healthy environment for racially and ethnically disadvantaged groups; ensure that they have the ability to participate meaningfully in the public process of environmental decision-making that may affect them; share technology and best practices to improve human health and the environment in all areas; seek to prevent or minimize the industrial pollution that affects them disproportionately; take as appropriate measures to clean and redevelop contaminated sites located in or near where they live, turn them into usable space that is clean and safe for human use and habitation, create jobs and enhance community development and, where appropriate, to relocate, on a voluntary basis and after consultation with those affected, racially and ethnically disadvantaged groups to other areas when there is no other practical alternative to ensuring their health and well-being;

Equal participation in political, economic, social and cultural decision-making

147. Urges/invites Governments, the private sector and international [financial] institutions, [particularly/including the World Bank and regional development banks], to promote participation by persons belonging to/members of all groups, including [minority groups] individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, in economic, cultural and social decision-making at all stages and levels [in the development and implementation of poverty alleviation strategies, development projects, and trade and market assistance programmes];

148. Urges Governments to enhance/reflect on and facilitate the effective and equal access of all members of the community, ~~including members of vulnerable groups~~/individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, to the decision-making processes in society, in particular at the local level;

149. Urges all international financial institutions, in particular the World Bank and regional development banks, to promote participation (by all members of the international community) (in the decision-making process at all stages) (at the global and regional levels respectively) (in order to facilitate the development projects and trade and market assistance programmes, as well as implementation of poverty alleviation strategies), (the lack of which/non-fulfilment of which negatively affect the Member States and may lead to (discriminatory behaviour and xenophobic attitudes) against minorities, groups and individuals (in society at large);

150. Urges Governments and the private sector to promote participation by persons belonging to/members of all groups, including members of vulnerable groups and groups affected by or

vulnerable to racism, racial discrimination, xenophobia and related intolerance, and facilitate their effective and equal access to the decision-making processes in society, in particular at the local level;

Role of politicians and political parties

151. Urges States to promote good governance based on the principles of democracy, the rule of law, equality, non-discrimination and transparency and thus reflect the full diversity of a given State. It encourages [political parties to take concrete steps to promote solidarity, tolerance and respect, inter alia by developing [model] voluntary code[s] of conduct as well as penal measures for members of such parties that engage in statements and actions that ~~could~~ encourage or incite racism, racial discrimination, xenophobia and related intolerance ~~and racist sentiment~~ among the public];

152. Invites the Inter-Parliamentary Union to encourage debate in, and action by, Parliaments on legal measures to be taken at the national level to combat racism, racial discrimination, xenophobia and related intolerance;

3. Education and awareness raising measures

153. Urges States to commit financial resources to anti-racism education and to media campaigns promoting the values of acceptance, tolerance, diversity and respect for the cultures of all indigenous peoples living within their national borders. In particular, States should promote an accurate understanding of the histories and cultures of indigenous peoples;

154. Urges the United Nations, other appropriate international and regional organizations and States to redress the marginalization of Africa's contribution to world history and civilization by developing and implementing a specific and comprehensive programme of research, education and mass communication to disseminate widely a balanced and objective presentation of Africa's seminal and valuable contribution to humanity; ADOPTED at 2nd PrepCom

155. Encourages all States and relevant international organizations to initiate and develop cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance and enhancing mutual understanding amongst various cultures and civilizations. It further urges States to initiate public information campaigns to promote respect for the values of diversity, pluralism, tolerance, mutual respect, cultural sensitivity, integration and inclusiveness;

156. Calls upon States to ensure that education and training, especially teacher training, promote respect for human rights, the culture of peace, gender equality, cultural, religious and

other diversity, and to encourage educational and training institutions and organizations to adopt policies of equal opportunities and follow-up their implementation with the participation of teachers, parents, boys and girls and the community. It further urges all educators, including teachers in all post-secondary education processes, religious bodies and the print and electronic media to play an effective role in education against racism, racial discrimination, xenophobia and related intolerance;

157. Urges States to intensify their efforts in the field of education to promote the awareness/consciousness of the evils of racism, racial discrimination, xenophobia and related intolerance,/in order to understand the causes and sources and denounce their perverse effects, in order to ensure respect for the dignity and worth of all human beings. In this context, States should develop, where appropriate, and implement specific sensitization and training programmes, formulated in local languages for all categories of society, in particular young people, to combat racism;

158. [Calls upon States to commit themselves to undertaking public information campaigns or other more long-term initiatives, inter alia through the media, to alert their societies to the dangers of racism, racial discrimination, xenophobia, [anti-Semitism], Islamophobia and racist practices of Zionism and related intolerance, and to support initiatives of non-governmental organizations in this respect. Such campaigns or initiatives need to be addressed to the whole of society, in particular young people, including children. The World Conference also calls upon States to undertake and facilitate activities aimed at educating young people in human rights and democratic citizenship and instilling values of solidarity, respect and appreciation of diversity. A special effort to inform and sensitize young people to respect minorities and democratic values should be undertaken or developed to fight against ideologies based on so-called racial superiority;]

159. Urges States to adopt and implement laws that prohibit discrimination on the basis of race, colour, descent or national or ethnic origin at all levels of education; remove barriers and ensure equal access to quality education that maximizes opportunities for employment in today's job markets; establish and implement methods to measure and track improvement in disadvantaged youths' education performance; support efforts to ensure safe school environments free from violence and free of harassment on the basis of race, colour, descent or

national or ethnic origin; and establish financial assistance programmes designed to enable students, regardless of race, colour, descent or ethnic or national origin, to attend institutions of higher education;

160. Urges Governments to support and implement public formal and non-formal education programmes designed to promote cultural diversity, self-esteem building and teaching in the mother tongue for national/ethnic minorities and indigenous peoples;

Access to education without discrimination

161. Concerning education in general, appeals to all States to fight against any form of separate schooling based on national or ethnic origin, colour, descent, or religion and to ensure equal access to education for all in law and in practice;

162. Urges States to commit themselves to ensuring access to education, including access to free primary education for all children within their territory, based on respect for human rights, diversity and tolerance, without discrimination of any kind and in accordance with international standards;

Introduction and reinforcement of human rights education

163. Urges States to encourage all schools to consider including in their educational curricula an annual day against racism, racial discrimination, xenophobia and related intolerance, and activities throughout the school year to raise the awareness of these issues;

164. Urges States to adopt and implement all necessary legislative, administrative and other measures to promote correct reflection and perception on the past and contemporary history of colonialism, slavery, racism and racial discrimination, inter alia among their new generations, through faithful education and other appropriate means with a view to preventing the recurrence of such wrongdoings;

165. In this regard, it is important to introduce and, as applicable, to reinforce an/the anti-discrimination and anti-racism components/into human rights programmes in school curricula, to develop relevant educational material and to ensure that all teachers are effectively trained and adequately motivated to shape attitudes and behavioural patterns, etc./of the school curricula and to improve educational materials on human rights and anti-racism, in order to shape attitudes and behavioural patterns based on the principles of non-discrimination, mutual respect and tolerance;

166. Urges States to harness the power of education and adopt, as appropriate, training programmes and develop educational materials aimed at combating racism, racial discrimination,

xenophobia and related intolerance and, in this context, calls upon States to give priority to textbook and curriculum review and amendment so as to eliminate any elements that might promote racism, racial discrimination, xenophobia and related intolerance or reinforce negative stereotypes, and to include material that refutes such stereotypes. It also urges them to provide the mainstream education with an accurate presentation of ~~the~~ history ~~of the State~~, highlighting the contributions of ~~the~~ individuals and groups from different cultures and civilizations ~~of the region and the world, including the role that indigenous people, people of African descent, Roma, migrants and other ethnic, racial, cultural, religious and linguistic groups and minorities have played in building national identities~~;

167. Greater emphasis should be placed on teaching the history of national, racial, linguistic, cultural, religious and ethnic minorities [and of the history of neighbouring countries] with the aim of achieving mutual respect and understanding for others' culture, religion or history/as well as of their contribution to the whole civil society;

168. ~~Calls upon~~ Strongly recommends to participating States to introduce, ~~or encourage the introduction of~~, or reinforce, human rights education, ~~including promoting anti-racism~~, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship between different racial or ethnic groups in school curricula and in institutions of higher education and to support public formal and non-formal education programmes designed to promote cultural diversity and self-esteem of vulnerable groups;

Training of professional groups in public administration and in administration of justice

169. Requests States, wherever appropriate through cooperation with intergovernmental organizations, national institutions, non-governmental organizations and the private sector, to organize and facilitate training courses or seminars about international norms prohibiting racial discrimination and their applicability in domestic law, as well as on the application of international human rights standards such as obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, for prosecutors, members of the judiciary and other public officials. It calls upon States to provide wide-ranging education for their law enforcement officials, in particular members of the police

force, in combating stereotypes that provoke violence on their part, particularly against people of African descent [and recognize that the successful completion of such training programmes ~~be made one of the criteria for promotion~~ is essential for effective policing];

170. Urges States to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the administration of justice and fair trial and to conduct nationwide campaigns, amongst other measures, to raise awareness among State organs and public officials concerning their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant instruments; ADOPTED at 2nd PrepCom

171. Urges States to develop anti-racist and gender-sensitive human rights training for personnel in the administration of justice, law enforcement agencies, security and health-care services, schools and migration authorities, paying particular attention to immigration officials, border police and staff of migrant detention centres, as well as for United Nations personnel;

172. Urges countries receiving migrants to strengthen the human rights training and awareness-raising activities designed for immigration officials, border police and staff of migrant detention centres, local authorities, other civil servants in charge of enforcing laws, as well as teachers, with particular attention to the human rights of migrants, in order to prevent racial conflicts and avoid situations where prejudices lead to decisions based on racism, racial discrimination, xenophobia or related intolerance;

173. Urges States to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;

4. Information, communication and the media including new technologies

174. Urges States to give impetus to the development by the media, including the press and the communications and advertising media, taking into account their independence, through their relevant associations and organizations at national, regional and international levels, of a voluntary ethical code of conduct and self-regulatory measures, in order:

(a) To combat discrimination on such grounds as race, national or ethnic origin and religion and do away with stereotypes;

(b) To ensure the fair and balanced presence of people of African descent, as well as ensuring that this diversity is reflected among their members;

(c) To combat the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form and promoting respect and tolerance among all peoples and human beings, for example through assistance in public awareness-raising campaigns;

[It furthermore considers that advertisers should also refuse to carry advertising messages that portray cultural, religious or ethnic difference in a negative manner, including by reinforcing sexist or other negative stereotypes and prejudices.]

175. Calls upon States to encourage Internet service providers to establish and disseminate specific voluntary codes of conduct and self-regulatory measures against the dissemination of racist messages and those that promote racial discrimination, xenophobia or any form of intolerance and discrimination;

176. In this context, Governments are encouraged to set up a national consultation body which might act as a permanent monitoring centre, mediating body and partner in the preparation of codes of conduct;

177. Draws the attention of States to the need to coordinate a prompt international response to the rapidly evolving phenomenon of the dissemination of hate speech and racist material on the Internet. In this respect, it calls for international ~~judicial~~ cooperation to be strengthened and rapid intervention mechanisms to be agreed;

178. Calls upon all States to criminalize dissemination through the Internet of racist messages and those that promote racial discrimination, xenophobia or any form of intolerance and discrimination;

179. Urges States to apply all relevant human rights instruments to which they are parties, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, to racism on the Internet;

180. Urges States to adopt and apply to the extent possible existing legislation for prosecuting those responsible for imminent incitement to racial hatred/violence on the Internet and their accomplices, taking fully into account existing international and regional standards on freedom of expression, while taking all necessary measures to guarantee the right to freedom of

opinion and expression. It further recommends the training of law enforcement authorities in addressing the problem of dissemination of racist material through the Internet;

181. Expresses concern at the material progression of racism, including contemporary forms and manifestations of racism such as the use of the Internet to disseminate ideas of racial superiority. The World Conference takes note of/welcomes the positive contribution the Internet ~~can bring in~~ is bringing to combating racism through rapid and wide-reaching communication. Aware that the international use of and access to the Internet is limited by social, cultural and political boundaries, the World Conference calls upon States to enable all people to access and use the Internet as an international and equal forum. It calls upon States to examine ways in which this contribution can be enhanced ~~the Internet can be used systematically, for example through the creation of a specific site~~, to provide information about good practices for combating racism, racial discrimination, xenophobia, anti-Semitism and related intolerance and racist practices of Zionism. It also draws attention to the potential to increase the use of the Internet to create educational and awareness-raising networks against racism and intolerance, both in and out of school, as well as the ability of the Internet to promote universal respect for and the value of cultural diversity;

182. Requests States to take necessary measures to denounce, actively discourage and prohibit the transmission of racist and xenophobic messages through all communications media, including new communications technologies such as the Internet;

183. Urges States ~~to prevent, by all appropriate means~~ to encourage the media to avoid/discourage stereotyping ~~of any ethnic, racial, national, cultural and linguistic group~~ based on race, colour, descent, religion, language, culture, or national or ethnic origin and encourage objective and balanced portrayals of people, events and history, ~~especially in the media~~, recognizing the profound influence that such portrayals have on societal perception of individuals and groups ~~whose members are frequently victims of~~ affected by or vulnerable to racism, racial discrimination, xenophobia and related intolerance, and to make punishable by law, in accordance with relevant international human rights law, incitement to racial hatred;

184. Urges the media to recognize the value of cultural diversity and to take concrete measures to ensure that marginalized communities have access to the media through, inter alia, the presentation of programmes that reflect the cultures and languages of minority communities, [and to ensure that they promote representation of members of groups which are victims of/ individuals and groups affected by or vulnerable to racism, racial discrimination, xenophobia

and related intolerance are adequately represented at all levels of their organizational structure.]/and encourages the media to facilitate members of targeted groups to be adequately represented;

B. International level

185. Urges all actors on the international scene to build an international order based on inclusion, justice and equity, mutual understanding and respect and to reject outdated doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

186. Encourages States, regional and international organizations, including financial institutions, as well as civil society to develop a mechanism to address those aspects of globalization which may lead to racism, racial discrimination, xenophobia and related intolerance;

187. Strongly urges States to take effective international measures to guarantee the implementation of human rights standards and the elimination of all forms of racism, racial discrimination, xenophobia, apartheid and related intolerance in respect of peoples under colonial or other forms of alien domination or foreign occupation, particularly those under an occupation based on racist, ethnic and settler ideology, in accordance with the rules of international law, international humanitarian law and the international conventions in relation to the elimination of all forms of racism and racial discrimination, xenophobia, apartheid and related intolerance, as they constitute a crime against humanity;

188. Urges strengthening of the capacity of the early warning and urgent procedures mechanisms of the Committee on the Elimination of Racial Discrimination so that it can act immediately under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination with regard to any mass media appeals and any other incitement to racial discrimination and violence leading to genocide;

189. Recommends that the Department of Peacekeeping Operations of the Secretariat and other concerned United Nations agencies, bodies and programmes strengthen their coordination to discern patterns of serious violations of human rights and humanitarian law with a view to assessing the risk of further deterioration that could lead to genocide, war crimes or crimes against humanity;

190. Requests the World Health Organization to promote activities for the recognition of the race/ethnic group/gender variant as a significant variable in health matters and to prepare specific projects for prevention, diagnosis and treatment among people of African descent;

IV. PROVISION OF EFFECTIVE REMEDIES, RECOURSE, REDRESS, [COMPENSATORY] AND OTHER MEASURES AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

Legal assistance

191. Urges States to take all necessary measures to address, as a matter of urgency, the pressing requirement for justice for the victims of racism, racial discrimination, xenophobia and related intolerance and to ensure that victims have full access to information, support, effective protection and national, administrative and judicial remedies, as well as legal assistance, including the right to seek and receive just and adequate reparation or satisfaction for material and moral damage;

192. Urges States to provide victims of racial discrimination with/facilitate access to all appropriate methods of justice and legal assistance in a manner adapted to their specific needs and vulnerability, including exemption from fees, simplification of procedures, legal representation and establishment, as appropriate, of specially adapted jurisdictions to deal with such cases;

193. Urges States to ensure the protection against victimization of complainants and witnesses to discrimination and to ensure that persons belonging to targeted groups who have been victims of gender-related crimes, such as rape and other forms of sexual and domestic violence, forced prostitution and trafficking for the purpose of sexual exploitation, are granted adequate legal protection and support. It further encourages States to consider measures such as making legal assistance, including legal aid, available to complainants when seeking a legal remedy and, if possible, affording the possibility for non-governmental organizations to support complainants of racism, with their consent, in legal procedures;

National legislation and programmes

194. The World Conference affirms that the establishment of more effective measures against racial discrimination should include recognition of the need for a package of preventive and deterrent measures. Cultural change to be achieved through educational programmes must be in the forefront of preventive measures but deterrent measures are equally essential, for example and where appropriate: (a) adoption of a ~~law~~ legal framework/laws against racial discrimination [and its incorporation into national legislation]; such a law could be modelled on United Nations publication HR/PUB/96/2; (b) extension of legislative measures prohibiting racial discrimination in all areas of the public and private sectors, including employment, training, education, housing,

provision of goods and services, immigration policy, the administration of justice, and law and order; (c) enactment of legislation providing for adequate ~~civil~~ compensation of victims of racial discrimination; [Provision should be made for rehabilitation of the perpetrators and victims of/acts of racism by means of truth commissions, apologies, and the establishment of victims' compensation and reparation funds, as appropriate;]

195. For the purposes of effectively combating racism and racial discrimination, xenophobia and related intolerance in the civil, political, economic, social and cultural fields, the World Conference recommends to all Member States that their national legislative framework in criminal, civil and administrative law should expressly and specifically prohibit discrimination on grounds of actual or presumed racial, ethnic or national origin, religion and belief and provide effective judicial and other remedies or redress, including through the designation of national, independent, specialized bodies. Such legislation should embrace concepts of direct or indirect discrimination. It should cover such areas as employment, education, housing, health care, social protection and social security, social benefits, access to supply of goods and services and to public places, as well as access to citizenship. This legislation should clearly cover the functions of public bodies and authorities such as law enforcement personnel, judges, prosecutors, other components of the criminal justice system, local authority enforcement powers, health and safety bodies, child protection, detention under mental health legislation and tax collection, as well as the private sector;

196. States are urged, with regard to the procedural remedies provided for in their domestic law, to bear in mind the following considerations: (a) access to such remedies should be as wide as possible; (b) the existing procedural remedies must be made known in the context of the relevant action, and victims of racial discrimination should be helped to avail themselves of them in accordance with the particular case; (c) complaints of racial discrimination must be settled as rapidly as possible, a reasonable time-limit being set for the relevant inquiries; (d) [~~indigent~~ persons who are victims of racial discrimination should receive free legal assistance and aid, where appropriate, in the complaint proceedings and, where necessary, provided with the help of an interpreter in civil and criminal cases;] (e) States should be urged to create national bodies competent to investigate allegations of racial discrimination; (f) steps should be taken towards the enactment of legislation to penalize discriminatory practices on grounds of race or ethnic origin and provide for adequate compensation of the victims; (g) access to legal remedies should be facilitated for victims of discrimination [and the legal capacity of non-governmental

institutions or organizations to intervene on their behalf should be recognized by means of legislative reforms]; programmes to enable the most vulnerable groups to have access to the legal system should be prepared; (h) States should consider establishing new structures of reviewing traditional systems of conflict resolution and mediation; (i) States should be encouraged to develop restorative justice policies and programmes that are respectful of the rights and needs of victims, offenders, communities and any other parties; (j) increased efforts should be undertaken to inform the public of the existence of the complaints mechanism under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination;

197. Urges States to ensure that African peoples, in particular African-descendant women and children, have access to education and new technologies that would offer them places, and adequate resources for education and technological development and long-distance learning in local communities, and further urges States to ensure that the history and contribution of African peoples are fully and accurately incorporated into the education curriculum at all levels;

Remedies, reparations, compensation

198. Requests States which practised and benefited from the Trans-Atlantic slave trade and the system of enslavement of Africans to initiate a constructive dialogue with people of African descent in order to identify and implement measures for ethical and moral satisfaction and any others that may be agreed;

199. Urges Member States to reinforce the protection against racism, racial discrimination, xenophobia and related intolerance by ensuring that all persons have access to effective and adequate remedies and enjoy the right to seek from competent national tribunals and other national institutions just and adequate reparation and satisfaction for any damage as a result of such discrimination. It further underlines the importance of access to the law and to the courts for complainants of racism and racial discrimination and draws attention to the need for judicial and other remedies to be made widely known, easily accessible, expeditious and not unduly complicated;

200. States shall assure to everyone within their jurisdiction effective protection and remedies, through competent national tribunals and other State institutions, against acts of racial discrimination which violate his or her human rights and fundamental freedoms contrary to the International Convention on the Elimination of All Forms of Racial Discrimination and other

international human rights instruments, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination;

201. Urges States to adopt the necessary measures, as provided by national law, to ensure the rights of victims to prompt, effective judicial and other appropriate remedies and adequate and fair reparation and compensation, to address acts of racism, racial discrimination, xenophobia and related intolerance, and to design effective measures to prevent the resurgence of such acts;

202. Urges States to acknowledge that the centuries-long slave trade, enslavement and other forms of servitude of Africans, people of African descent and indigenous peoples have resulted in substantial and lasting economic, political and cultural damage to these peoples and in the retardation of their institutions and societies, and that justice now requires that to alleviate the inequalities that still persist because of these shameful legacies, substantial national and international efforts be made. On a collective basis, such reparation should be in the form of enhanced policies, programmes and measures to be adopted by the States which benefited materially from these practices in order to rectify, inter alia through affirmative action, the economic, cultural and political damage which has been inflicted on the affected communities and peoples in full implementation of their right to development;

203. Urges those States whose people, organizations and Governments were involved in and profited materially from slavery, the slave trade, other forms of servitude and colonialism to make a genuine effort to repair some of this damage by financing and implementing the following measures:

(a) The setting up of an international compensation scheme for victims of the slave trade and any other transnational racist policies and acts, aimed at fulfilling the right to compensation, and of a development reparation fund, financed also by those private sectors which had benefited directly or indirectly from transnational racist policies and acts, to provide resources for the development process in countries affected by colonialism;

(b) The improvement of the access to international markets of products from countries affected by the phenomena of slavery, servitude and colonization, including the development and implementation of special and differential treatment in respect of the length of the adjustment periods in bilateral and multilateral trade agreements that would establish a more equitable and supportive international trade environment for States that are populated substantially by people of African descent and indigenous peoples;

(c) The creation and implementation of a programme to restore to the country of origin the many invaluable art objects, historical artifacts and documents that have been unjustly removed from Africa and the Americas and from peoples of African descent and indigenous peoples over the centuries, and the provision of financial and technical assistance to equip the relevant States with museums and related facilities that will be required to properly conserve and store these articles;

(d) The creation and implementation of an Education Fund for, inter alia, the provision of an international scholarship programme in which a substantial number of scholarships will be made available to people of African descent and indigenous peoples in a wide range of disciplines at universities and other tertiary-level institutions throughout the developed world and the Americas;

(e) A systematic programme of reform of the structures of the major multilateral organizations in order to accord the States in the Americas that are populated substantially by people of African descent and indigenous peoples a greater and more equitable stake in the decision-making process of those organizations;

204. Strongly urges States which pursued policies or practices based on racial or national superiority, such as colonial or other forms of alien domination or foreign occupation, slavery, the slave trade and ethnic cleansing, to assume their full responsibility therefor and provide prompt, adequate and fair reparation and compensation to those States, communities and individuals who were victims of such policies or practices, regardless of when they were committed;

V. STRATEGIES TO ACHIEVE FULL AND EFFECTIVE EQUALITY, INCLUDING INTERNATIONAL COOPERATION AND ENHANCEMENT OF THE UNITED NATIONS AND OTHER INTERNATIONAL MECHANISMS IN COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AND FOLLOW-UP

205. Calls upon/urges States to apply diligently all commitments undertaken by them in the Declarations and Plans of Action of the regional conferences in which they participated, and to formulate national human rights strategies and plans in compliance with the objectives set forth therein, and as provided for in other relevant instruments and decisions; and further requests that, in cases where such national human rights strategies and plans already exist, States incorporate in them the agreements arising from the regional conferences;

206. Urges States to take measures to alleviate inequalities that still persist because of the shameful legacy of slavery;

207. Urges States that have not yet done so to consider acceding, as a matter of urgency, and without reservations, to the Geneva Conventions of 12 August 1949 and their two Additional Protocols of 1977, as well as to other treaties of international humanitarian law, and to enact, with the highest priority, appropriate legislation, taking the measures required to give full effect to their obligations under international humanitarian law, in particular in relation to the rules prohibiting discrimination;

208. Urges States in the region to develop cooperation programmes to promote equal opportunities for the benefit of indigenous peoples, people of African descent, migrants and other victims of racism, and encourages them to propose the creation of multilateral cooperation programmes with the same objective;

209. Invites States to include the subject of the struggle against racism, racial discrimination, xenophobia and related intolerance in the work programmes of the regional integration agencies and of the regional cross-boundary dialogue forums;

210. Urges the international community to take cognizance of the very real difficulties that peoples of different racial and ethnic backgrounds inevitably experience in seeking to live together and to develop genuine harmonious multiracial societies. It also urges them to recognize that the art and technology of developing multiracial and multicultural societies and the positive example of successful multiracial societies such as some of those in the Caribbean region need to be systematically studied, and therefore requests the United Nations to consider establishing an international centre for multiracial and multicultural studies and policy development to undertake this critical work;

211. Urges States to create conditions and to take action for the promotion and protection of the ethnic, cultural, linguistic and religious identity of persons belonging to ~~national~~ minorities ~~where such minorities exist~~. Furthermore it urges them to work in partnership at the national, regional and international levels to develop appropriate policy tools that facilitate the development of legislation, policies and programmes that take into account ethnic, racial, linguistic, religious and cultural diversity;

212. Urges States to take or strengthen measures, including through bilateral or multilateral cooperation, to address the root causes such as poverty, underdevelopment and lack of equal opportunity, some of which may be associated with discriminatory practices, which make

persons, especially women and children, vulnerable to trafficking which may give rise to racism, racial discrimination, xenophobia and related intolerance; ADOPTED at 2nd PrepCom

213. Encourages States, in cooperation with non-governmental organizations, to undertake campaigns aimed at clarifying opportunities, limitations and rights in the event of migration so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

International legal framework

214. [Reminds States ~~of their~~ with obligations under the International Covenant on Economic, Social and Cultural Rights to promote economic, social and cultural rights through international cooperation and development;]

215. Urge States to continue cooperating with the Committee on the Elimination of Racial Discrimination and other human rights treaty monitoring bodies in order to promote the effective implementation of these instruments and compliance with the recommendations adopted by these bodies concerning complaints of racism, racial discrimination, xenophobia and related intolerance, by means of an effective, constructive and transparent dialogue;

216. [The resources of the Committee on the Elimination of Racial Discrimination should be increased to enable it to] to discharge its mandate effectively /~~act effectively in investigating fully any allegations of genocide or direct or public incitement to commit genocide brought to its knowledge by Member States, an international organization or a non-governmental organization, and to enable it to cooperate with early-warning and any good offices functions of the United Nations;~~]

217. [Recommends that human rights treaty bodies, in particular the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining periodic reports of States [parties], pay special attention to gender ~~issues~~ equality and gender-based discrimination, particularly the multiple [jeopardy] that ~~occurs~~ may be faced by women when gender, ~~class~~, socio-economic status, race ~~and~~ ethnicity and other barriers intersect. Furthermore, given the increasing feminization of migration, these treaty bodies should pay special attention to this area when examining periodic reports of States parties that are countries of origin and/or destination;]

218. Requests States to participate in an ongoing regional dialogue on problems of migration and calls upon them to negotiate bilateral and regional agreements on migrant workers and to promote contacts with States of other regions to protect the rights of migrants from the Americas;

219. Calls upon States to ensure that adequate resources are provided by the United Nations to support the effective functioning of these mechanisms, and that reports to them are timely, concise and focused;

General international instruments

220. Recommends that the international community elaborate an international instrument of a binding character that preserves and promotes the cultural diversity of States;

221. [Recommends that the United Nations elaborate an international instrument of a binding character defining the rights and obligations of persons belonging to minorities;]

Regional/international cooperation

222. Invites the Inter-Parliamentary Union to contribute to the activities of the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance by encouraging national Parliaments to review progress on the objectives of the World Conference;

223. Urges States to support or otherwise establish regional, comprehensive dialogues on migration that focus not only on law enforcement and border control, but also on the promotion and protection of the human rights of migrants and on the relationship between migration and development. The World Conference calls upon States to involve civil society in these dialogues;

224. Calls upon international organizations having mandates dealing specifically with migration issues to exchange information and coordinate their activities on matters involving discrimination and xenophobia against migrants, with the support of the Office of the United Nations High Commissioner for Human Rights;

225. Expressing its deep concern over the severity of humanitarian sufferings of affected civilian populations, the World Conference requests the relevant international institutions to continue rendering urgent financial and humanitarian assistance to populations expelled from their homes and calls for enabling refugees and internally displaced persons to return to their homes voluntarily, in safety and dignity;

226. [Calls upon all relevant United Nations organs to endeavour to bring the foreign occupation of Jerusalem by Israel, together with all its racist practices, to an end, and to ensure the recognition of Jerusalem as a city of reverence and religious sanctity for the three major religions of the world which should serve as a focal point of historical and cultural inspiration, a symbol of civilization and religious dialogue and an epitome of tolerance and equality];

227. [Urges all States to refrain from taking any measure leading to the recognition of Jerusalem as the capital of Israel or of any measures aimed at altering its geographic, demographic and institutional characteristics in violation of the norms of international humanitarian law and relevant repeated United Nations resolutions];

228. [Calls upon the international community to assume its responsibilities to provide the international protection for the Palestinian people under occupation against any acts of racism, racial discrimination and denial of fundamental human rights including the right to life, liberty and self-determination];

229. Encourages States to conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in women and children, in particular girls;

230. [Encourages/urges all States to develop bilateral and cross-border multilateral and regional cooperation to eliminate trafficking in persons and smuggling of migrants];

231. Calls upon States, as appropriate, to promote:

(a) Effective legal and judicial cooperation at the regional and international levels in combating acts of racism, [anti-Semitism], racial discrimination, ~~and~~ xenophobia and related intolerance to prevent the perpetrators of ~~racist and xenophobic~~ these acts from benefiting from the fact that offences are treated differently in various States;

(b) Exchanges at the regional and international levels among national independent specialized bodies and other relevant independent bodies with a mandate ~~to~~ that includes monitoring racism and racial discrimination;

(c) Exchanges at the regional and international levels among educational authorities and others involved in developing curricula incorporating anti-racist and intercultural education;

(d) The building of networks for monitoring and information sharing, including an inventory of foundations, organizations and networks fighting racism;

232. Urges States to support the activities of regional bodies/centres which combat racism, racial discrimination, xenophobia and related intolerance where they exist in their region, and recommends their establishment in all regions. These bodies/centres may undertake the

following activities, amongst others: monitor the situation of racism, racial discrimination, xenophobia and related intolerance and of groups which are victims thereof or vulnerable thereto and minorities; identify trends and issues/problems; disseminate and exchange information and build networks to these ends; highlight examples of good practice; organize awareness raising campaigns; develop proposals/solutions, where possible and appropriate, through joint efforts by/by coordinating with the United Nations, regional organizations and Member States; [undertake research and training studies, compile statistics, maintain databases and develop qualitative and quantitative indicators to measure regional progress in the struggle against racism];

233. Urges international organizations, within their mandates, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

234. Encourages/invites/urges/requests international financial institutions, including the World Bank, regional financial institutions and banks, development institutions and the operational programmes and agencies of the United Nations, in accordance with their mandates, regular budgets and procedures of their governing bodies, to:

(a) Assign higher priority and provide more funding to projects in favour of Africans and people of African descent, indigenous peoples, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities, in order to combat manifestations of racism, racial discrimination, xenophobia and related intolerance, and to include such vulnerable groups at every stage of the development and implementation of projects concerning them;

(b) Further integrate human rights principles and norms into their policies and programmes;

(c) Include in their regular reporting to their boards of governors information on their contributions to promoting the participation of people of African descent, indigenous peoples and other marginalized groups within their organizations, and information on their efforts to facilitate the participation of racial, ethnic, religious, cultural and other minorities in the economic, social, political and cultural life of their countries;

(d) Examine how their policies and practices affect racial, ethnic, linguistic, cultural and religious minorities, and indigenous peoples, and to ensure that these policies and practices contribute to the eradication of racism, racial discrimination, xenophobia and related intolerance;

235. [Recommends:

(a) The establishment of a follow-up ~~mechanism~~ observatory headed by the Chairperson of the World Conference, composed of five eminent persons from the different regions, appointed by the Secretary-General after due consultation with all regions. This mechanism will function in consultation with the High Commissioner for Human Rights, the Committee on the Elimination of Racial Discrimination and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. This mechanism would be entrusted with the supervision of the implementation of the Declaration and Programme of Action to be adopted by the World Conference and to submit an annual report to the United Nations General Assembly;

(b) The establishment of an international ~~mechanism~~ observatory to monitor racially discriminatory attitudes and acts, individual or collective, private or public, including by non-State actors, charged with the following tasks:

(i) The compilation of information about racial acts and their development;

(ii) The creation of a Web site by a coalition of non-governmental organizations working in the field of combating racism, in collaboration with the Office of the High Commissioner for Human Rights, to receive and disseminate such information to the widest possible extent;

(iii) The provision of legal and administrative support and advice to victims of racial acts;

(iv) The preparation of an annual report on its activities to be submitted to the Secretary-General;]

236. Recommend that high-level international meetings be held successively in each region of the world on the Dialogue among Civilizations;

Office of the High Commissioner for Human Rights

237. To increase the level of awareness about the scourge of racism, racial discrimination, xenophobia and related intolerance, the World Conference calls for the continuation and expansion of the goodwill ambassadors programme initiated by the High Commissioner for Human Rights. It urges goodwill ambassadors to be designated in all countries of the world to spearhead a culture of tolerance, respect and human rights. It also calls for ~~a special campaign~~ to

publicize and promote the work of the United Nations treaty bodies, including the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women;

238. The Office of the High Commissioner for Human Rights is invited, in cooperation with the United Nations Educational, Scientific and Cultural Organization, concerned specialized and regional organizations, national institutions and non-governmental organizations active in the field of promotion and protection of human rights, to undertake periodic consultations and to encourage research activities aimed at collecting, maintaining and adapting the technical, scientific, educational and information materials produced by all cultures around the world to fight racism;

239. [Invites the United Nations Secretary-General and the High Commissioner for Human Rights to submit to the General Assembly at its forthcoming session an action plan to increase resources and activities of the Committee on the Elimination of Racial Discrimination and for the establishment, within the Office of the High Commissioner for Human Rights, of a unit devoted to the promotion of equality and non-discrimination/of a fourth branch to foster activities to combat racism, racial discrimination, xenophobia and related intolerance and to promote the rights of indigenous people, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities;]

240. Requests the Office of the High Commissioner for Human Rights to pay special attention to violations of the human rights of migrants and to promote international cooperation in combating xenophobia and, to this end, develop programmes which can be applied in the countries on the basis of appropriate cooperation agreements;

241. Invites States to request the Office of the High Commissioner for Human Rights to develop and fund specific technical cooperation projects aimed at combating racism, racial discrimination, xenophobia and related intolerance and, if necessary, assist them in seeking additional resources for carrying out projects of this type;

242. The World Conference:

(a) [Requests/invites the Commission on Human Rights to include in the mandates of all its/appropriate special procedures a request to report on problems relating to racism, racial discrimination, xenophobia and related intolerance;]

(b) Calls upon Governments to cooperate with the appropriate special procedures of the Commission on Human Rights and other mechanisms of the United Nations in matters

pertaining to racism, racial discrimination, xenophobia and related intolerance, in particular with the Special Rapporteurs and independent experts on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, religious intolerance, freedom of opinion and expression, the human rights of migrants, violence against women, extreme poverty, and the Special Representative of the Secretary-General on human rights defenders, ~~and with the Working Groups of the Sub-Commission on the Promotion and Protection of Human Rights on Indigenous Populations, Minorities and Contemporary Forms of Slavery;~~

243. Recommends that the Commission on Human Rights prepare complementary international standards to strengthen and update international legislation against racism, racial discrimination, xenophobia and related intolerance, including by drawing up an international code of ethics for communications media, especially the Internet, that includes specific measures to combat the unlawful dissemination of information that is racist, discriminatory, xenophobic or relating to intolerance;

244. [Recommends that the Office of the High Commissioner for Human Rights organize a database ~~that can be consulted via the Internet~~ containing information ~~on the struggle against~~ practical means to address racism, racial discrimination, xenophobia and related intolerance, particularly ~~in relation to~~ international and regional instruments and national legislation and in particular on legal means to combat racism in private relationships; remedies available through international mechanisms to victims of racial discrimination, as well as national remedies; educational and preventive programmes implemented in various countries and regions; opportunities for technical cooperation; and academic studies and specialized documents, and arrange for it to be made as accessible as possible to those in authority and the public at large, through its Web site and by other appropriate means.];

245. The United Nations should prepare and publicize a systematic collection of national anti-discrimination legislation, in particular with a view to informing those in authority and the public at large of legal means to combat racial discrimination in private relationships, including any available legal and other remedies;

Decades

246. Urges States to adopt the corresponding decisions within the United Nations for the purpose of changing the pattern of financing the activities of the Third Decade to Combat Racism and Racial Discrimination so that they can be covered under the regular budget of the United Nations;

247. Requests States to include the struggle against racism, racial discrimination, xenophobia and related intolerance among the activities to be undertaken within the framework of the United Nations Decade for Human Rights Education;

248. Recommends that the General Assembly declare a United Nations year or decade against trafficking in persons, especially in women and children;

249. Urges States to promote the implementation of the Declaration and Programme of Action on a Culture of Peace and the objectives of the International Decade for a Culture of Peace and Non-Violence for the Children of the World to begin in 2001;

Indigenous peoples

250. ~~Recommends the convening of an international conference on indigenous people at the end of the International Decade of the World's Indigenous People (1995-2004).~~ Urges States to convene an international conference on the right to self-determination, the ownership of land and its natural resources at the end of the International Decade of the World's Indigenous People;

251. Requests States to support the prompt establishment and future work of the Permanent Forum on Indigenous Issues and to provide adequate funding for the establishment of an operational framework and a firm basis for the future development of the Permanent Forum on Indigenous Issues within the United Nations system;

252. Urges the United Nations to ensure that the position of Special Rapporteur on Indigenous Peoples is provided with all necessary human and technical resources needed to fulfil its responsibilities and urges all States to cooperate with the work of the Special Rapporteur;

253. Calls upon States to conclude negotiations and approve as soon as possible the text of the United Nations Declaration on the Rights of Indigenous Peoples, under discussion by the Working Group on Indigenous Populations, in accordance with Commission on Human Rights resolution 1995/32;

254. The draft Inter-American Declaration on the Rights of Indigenous Peoples of the Organization of American States should also be pursued and adopted with the full participation of indigenous peoples and non-governmental human rights organizations, and should not contain standards less protective than those contained in the United Nations Declaration;

255. Urges States, [to consider] in light of the relationship between racism, racial discrimination, xenophobia and related intolerance and poverty, marginality and social exclusion of peoples and individuals at both the national and international levels, to enhance their policies and measures to reduce income and wealth inequalities and to take appropriate steps,

individually and through international cooperation [including through the provision of additional resources required], to promote and protect economic, social and cultural rights on a non-discriminatory basis; ADOPTED by 2nd PrepCom

256. Urges States and financial and development institutions to mitigate the negative effects of globalization by examining how their policies and practices affect indigenous peoples; by ensuring that their policies and practices contribute to the eradication of racism through the participation of indigenous peoples in development projects in accordance with the principle of informed consent; by democratizing international financial institutions; by developing enforceable codes of conduct for transnational corporations; and by consulting with indigenous peoples in any matter that may affect their physical, spiritual or cultural integrity;

257. Invites financial and development institutions and the operational programmes and specialized agencies of the United Nations, in accordance with their regular budgets and the procedures of their governing bodies:

(a) To assign greater priority and allocate more funding, within their areas of competence, to the improvement of the status of indigenous peoples, with special attention to the needs of these populations in developing countries, including, inter alia, the preparation of specific programmes with a view to achieving the objectives of the International Decade of the World's Indigenous People;

(b) To carry out special projects, through appropriate channels and in collaboration with indigenous peoples, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between indigenous peoples and experts in these areas;

Civil societies

258. Calls upon States to strengthen cooperation and consult regularly with non-governmental organizations and other actors in civil society, harnessing their experience and expertise in developing governmental legislation, policies and other initiatives, as well as involving them more closely in the elaboration and implementation of policies and programmes designed to combat racism and racial discrimination;

259. Urges leaders from the faith community to confront the moral evil of racism, through, inter alia, promotion and sponsoring of new dialogue and partnerships to bring about racial healing

and harmony, and invites the faith community to participate in promoting economic and community revitalization and encourages faith leaders to foster greater cooperation and contact between diverse racial groups;

260. Urges States to establish and strengthen effective partnerships with and provide support, as appropriate, to all relevant actors of civil society, including non-governmental organizations working to promote gender equality and advancement of women, particularly women subject to multiple discrimination, to promote an integrated and holistic approach to the elimination of all forms of discrimination against women and girls;

Non-governmental organizations

261. Urges States to ensure that non-governmental organizations are enabled to function freely and openly within their societies and thereby make an effective contribution to the elimination of racism and racial discrimination, xenophobia and related intolerance throughout the world and promote a wider role for grass-roots organizations consisting of citizen volunteers;

262. Calls upon States to explore means to expand the role of non-governmental organizations in society. Non-governmental organizations, consisting of voluntary associations, citizens' groups, places of worship and other community groups, play a vital role in deepening the ties of cooperation among citizens and promoting greater trust across racial and class divides. By promoting wider citizen involvement and more voluntary cooperation, civic associations generate important social capital, including greater social cohesion and racial harmony and more durable democratic values;

Private sector

263. Urges States to draft codes of conduct for transnational and other enterprises to prevent, address and eradicate racism, racial discrimination, xenophobia and related intolerance;

Youth

264. Urges States to encourage the full and active participation as well as involve more closely youth in the elaboration, planning and implementation of activities to fight racism, racial discrimination, xenophobia and related intolerance, and calls upon States, in partnership with non-governmental organizations, civil society and the private sector, to facilitate ~~an~~ both national and international youth dialogue on racism, racial discrimination, xenophobia and related intolerance, through the World Youth Forum of the United Nations system and through the use of new technologies, exchanges and other means.

UNITED NATIONS **A**

General Assembly

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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Preparatory Committee
Third session
Geneva, 30 July - 10 August 2001
Item 5 of the provisional agenda

DRAFT DECLARATION AND PROGRAMME OF ACTION

Proposals made by the Group of 21

This document contains six paragraphs that appeared in A/CONF.189/PC.2/27 and that were inadvertently omitted from the proposals by the Group of 21 for the draft Programme of Action.

GE.01-14752 (E) 020801

Missing paragraphs

(Paragraphs that appeared in A/CONF.189/PC.2/27 and that were inadvertently omitted from the proposals by the Group of 21 for the draft Programme of Action as contained in A/CONF.189/PC.3/8)

New 4. Recognizing the urgent need to translate the objectives of the Declaration into a practical and workable Plan of Action, we therefore recommend that the World Conference: (p. 32)*

New 5. Stress that democratic government and promotion of the rule of law constitute fundamental premises for eradicating racism, racial discrimination, xenophobia and related intolerance since the building of societies that are more democratic and inclusive and more respectful of human rights will help to overcome the institutionalized discriminatory practices and others that still persist in various States. (p. 32)*

New 78. Stress the important role that UNESCO can play in providing support to States in the preparation of teaching materials and tools for promoting teaching, training and educational activities relating to human rights and the struggle against racism, racial discrimination, xenophobia and related intolerance; (GRULAC) (p. 42)*

New 109. To ensure that all necessary constitutional, legislative and administrative measures, including appropriate forms of affirmative action, are in place to prohibit and redress discrimination on the basis of work and descent and that such measures are respected and implemented by all State authorities at all levels; (Switzerland) (p. 52)*

48. [The World Conference also recognizes with deep concern the increased negative stereotyping of hostility expressed against Muslims/the existence of Islamophobia and hostile acts and violence against Muslims which are evidenced in various parts of the world. (POASecr)] (p. 76)*

New 139. The World Conference recognizes that interregional migration has increased as a result of globalization and stresses that policies of countries towards such migration should not be based on grounds of race, colour, descent or national or ethnic origin; (India) (p. 80)*

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* The page numbers refer to A/CONF.189/PC.2/27.

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General Assembly

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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Preparatory Committee
Third session
Geneva, 30 July-10 August 2001
Item 6 of the provisional agenda

PROVISIONAL AGENDA OF THE WORLD CONFERENCE: PRACTICAL ISSUES

Draft provisional agenda of the World Conference

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Preparatory Committee the draft provisional agenda of the World Conference, taking into account decision PC.1/13 adopted by the Preparatory Committee at its first session (A/CONF.189/PC.1/21, annex I).

GE.01-14586 (E) 210701

DRAFT PROVISIONAL AGENDA OF THE WORLD CONFERENCE

1. Opening of the Conference.

2. Election of the President.

3. Opening addresses.

4. Adoption of the rules of procedure.

5. Election of the other officers of the Conference.

6. Credentials of representatives to the Conference.

   (a) Appointment of the Credentials Committee;

   (b) Report of the Credentials Committee.

7. Adoption of the agenda.

8. Organization of work.

9. Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance.

10. Victims of racism, racial discrimination, xenophobia and related intolerance.

11. Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels.

12. Provision of effective remedies, recourse, redress, [compensatory]* and other measures at the national, regional and international levels.

13. Strategies to achieve full and effective equality, including international cooperation and enhancement of United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance, and follow-up.

14. Adoption of the final document and the report of the Conference.

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* The square brackets in item 12 indicate that general agreement has not been reached on the word "compensatory".

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A

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Preparatory Committee
Third session
Geneva, 30 July-10 August 2001
Item 6 of the provisional agenda

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE: PRACTICAL ISSUES

Information note on arrangements for the World Conference

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Preparatory Committee the information note on administrative and logistical arrangements for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held at the International Convention Centre, Durban, South Africa, from 31 August to 7 September 2001. Information can also be obtained on the OHCHR Web site at www.unhchr.ch and the Web site of the host Government at www.racism.gov.za. A revised information note will be made available shortly before the Conference.

GE.01-14723 (E) 290701

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I. INTRODUCTION

1. The General Assembly, in its resolution 52/111, decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which would take place no later than the year 2001. Noting with grave concern that despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination had not been attained, the General Assembly decided that the World Conference would be action-oriented and focus on practical measures to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies, taking into full consideration the existing human rights instruments.

2. The main objectives of the World Conference will be:

(a) To review progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to further progress in the field and ways to overcome them;

(b) To consider ways and means to better ensure the application of existing standards and the implementation of the existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

(c) To increase the level of awareness about the scourges of racism and racial discrimination, xenophobia and related intolerance;

(d) To formulate concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance;

(e) To review the political, historical, economic, social, cultural and other factors leading to racism, racial discrimination, xenophobia and related intolerance;

(f) To formulate concrete recommendations to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

(g) To draw up concrete recommendations for ensuring that the United Nations has the financial and other necessary resources for its actions to combat racism, racial discrimination, xenophobia and related intolerance.

3. In its resolution 52/111, the General Assembly also decided that the Commission on Human Rights would act as the preparatory committee for the World Conference and that its deliberations should be open-ended, allowing for the full participation of all States Members of the United Nations, members of the specialized agencies and observers, in accordance with

established practice. In its resolution 53/132, the General Assembly requested the Secretary-General to designate the High Commissioner for Human Rights as Secretary-General for the World Conference who, in that capacity, would assume the main responsibility for the preparations for the Conference.

4. In resolution 1999/78, the Commission on Human Rights called upon the High Commissioner to help States and regional organizations to convene national and regional meetings or to undertake other initiatives, including at the expert level, to prepare for the World Conference. In resolution 2000/14, the Commission recommended that the World Conference should adopt a declaration and programme of action and called upon the regional preparatory meetings to submit to the Preparatory Committee reports on their deliberations.

5. To this end, the following regional meetings were held:

(a) Council of Europe, European Conference against Racism, Strasbourg, France, 11-13 October 2000;

(b) Regional Conference of the Americas, Santiago, 5-7 December 2000;

(c) African Regional Meeting, Dakar, 22-24 January 2001;

(d) Asian Regional Meeting, Tehran, 19-21 February 2001.

6. In its resolution 54/154, the General Assembly welcomed the offer by the Government of South Africa to host the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. In the same resolution, it decided that the World Conference and the sessions of the Preparatory Committee should be open to:

(a) All States Members of the United Nations and States members of the specialized agencies;

(b) Representatives of all regional organizations and regional commissions involved in the preparation of regional meetings, as well as associate members of the regional commissions;

(c) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the capacity of observers;

(d) Representatives of specialized agencies, secretariats of the regional commissions and the United Nations bodies and programmes;

(e) Representatives of all United Nations mechanisms in the field of human rights;

(f) Other interested governmental organizations, represented by observers;

(g) Interested non-governmental organizations, represented by observers in accordance with Economic and Social Council resolution 1996/31 of 25 July 1996.

7. In its resolution 55/84, the Assembly requested Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur of the Commission on Human Rights on the human rights of migrants and other human rights mechanisms to participate actively in the preparatory process with a view to ensuring the success of the World Conference and to coordinate their activities in this regard with the assistance of the High Commissioner.

II. INFORMATION FOR PARTICIPANTS

A. Dates and venue

8. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, composed of a plenary, a main committee and a drafting committee, will take place in Durban, South Africa, from 31 August to 7 September 2001. All three committees will convene at the International Conference Centre (ICC). The NGO Forum due to take place prior to the Conference from 28 August to 1 September 2001, will be held in the Kingsmead Cricket Stadium.

B. Arrival and transport information

1. Arrival

9. Upon arrival at Durban International Airport, United Nations/Host Government protocol officers will meet all delegations. Liaison Officers will be assigned to each delegation and be present at the airport when delegates arrive. Representatives of United Nations Protocol and Liaison will greet heads of State and Government, Vice-Presidents and Crown Princes/Princesses, on behalf of the Secretary-General of the United Nations and the President of South Africa, upon their arrival. Permanent and observer missions to the United Nations and the Host Government should submit detailed information regarding the arrival of the above-mentioned persons to South Africa at least 24 hours in advance.

2. Transport

10. The Host Government will provide the head of delegation with a vehicle for his/her exclusive use. There will be collective transport for delegates to and from the airports, ICC, hotels and social events. Additional transport may be hired by delegations at their own expense. Rental vehicles are available in Durban through well-known companies. Delegations requiring additional chauffeur-driven vehicles can arrange this through car hire companies. Note that hired cars will not be allowed within the security perimeter of the ICC. No parking space is available at the ICC. However, there will be designated parking space for heads of delegation.

C. Accommodation

1. General

11. Accommodation is limited for participants in Durban. In order to facilitate bookings for accommodation, a travel coordinator has been appointed to assist the Host Government. The details are as follows:

Ms. Nicky Gild
Turners Conference and Conventions
Tel: + 27 31 332 1451
Fax: + 27 31 368 5100
E-mail: turner20@galileosa.co.ca

D. Accreditation, registration and access to venues

1. Accreditation

12. The World Conference is open to all States, representatives of all regional organizations and regional commissions involved in the preparation of regional meetings as well as associate members of the regional commissions, representatives of organizations that have received a standing invitation from the General Assembly to participate in the capacity of observers, representatives of the specialized agencies, the secretariats of the regional commissions and all United Nations bodies and programmes, representatives of all United Nations mechanisms in the field of human rights, national human rights institutions which shall be represented by observers, and non-governmental organizations which shall be represented by observers.

2. Registration

13. All participants must register for the Conference. Delegations are kindly requested to submit their official delegation list to the Conference secretariat as soon as possible. Registration forms and instructions are available on the OHCHR Web site at: http://www.unhchr.ch/html/racism/index.htm. As the pre-registration deadline of 15 July has expired, the completed forms should be submitted, before 24 August 2001, to:

Area Coordinator: Registration and Accreditation
World Conference against Racism
P/Bag X152 Pretoria 0001
South Africa
Tel: + 27 12 351 1436
Fax: + 27 12 351 1225
E-mail: wcar.logistics1@foreign.gov.za

14. All participants, including those attending special events, are expected to register and should submit their registration forms to the above address. Registration forms

and instructions are available on the OHCHR and Host Government Web sites at: www.unhchr.ch/html/racism/index.htm and www.racism.gov.za. Registration forms for the NGO Forum are available from the NGO Forum Web site: www.racism.org.za.

15. All participants are requested to adhere strictly to the deadline dates and are required to submit a duly completed Conference registration form and to attach two (2) passport-size photographs. Each photograph should bear the full name of the participant on the back. Accreditation for spouses will be processed on an ad hoc basic on site in South Africa. Please note that United Nations identification badges for Geneva, New York, Vienna and Nairobi will not be valid for the World Conference.

16. On-site accreditation during the World Conference will take place at Hall 6 of the Durban Exhibition Centre (DEC), adjacent to the ICC. The accreditation office will be open daily from 8.00 until 20.00 daily, from 25 August to 7 September. Participants will be required to complete a Conference registration form, which shall be presented to the accrediting officers of the Conference secretariat. Once accreditation has been approved participants will have photographs taken and their badges produced inside the Hall 6 area. Participants who observe the pre-accreditation deadline may proceed directly to claim their photo-identification participant badge.

3. Media accreditation

17. All media representatives planning to attend the Conference should forward the completed form, together with a letter of assignment, on official letterhead, from their editor or bureau chief to:

Ms. Sonia Lecca
Department of Public Information,
United Nations
Room S-250A
New York, NY 10017
Tel: + 1 212 963 6934
Fax: + 1 212 963 4642

Representatives of the media wishing to be accredited on site should follow the procedure indicated in paragraph 15.

4. Access to venues

18. All participants will be issued with a photo identification badge allowing access to Conference venues. For security reasons, this pass must be visible at all times.

E. Security arrangements

19. The United Nations Security and Safety Service and the Host Government will together be responsible for the security arrangements of all persons while they are within the ICC, which will become United Nations premises for the duration of the Conference.

F. Organization of work

1. Plenary

20. An opening session of the plenary will be held on the morning of Friday, 31 August 2001. The provisional programme includes opening addresses by the President of the Republic of South Africa, the Secretary-General of the United Nations and the United Nations High Commissioner for Human Rights as Secretary-General of the World Conference. The opening session will be followed by a plenary to deal with organizational matters.

21. The regular plenary session is provisionally scheduled to start on the evening of Saturday, 1 September, and is expected to continue to hold three sessions a day until the end of the Conference. The Main Committee is provisionally scheduled to begin on the afternoon of 31 August. Conference Services can ensure servicing of up to seven meetings a day. As three of these meetings are proposed to be allocated to the plenary, the other four can be allocated to meetings of the Main Committee and the Drafting Committee. Smaller working groups may also be convened on an ad hoc basis. All these will be held at the ICC. An order of the day will be issued daily during the World Conference giving the timetable of meetings.

(a) High-level segment

22. A high-level segment is proposed for 31 August and 1 September. Up to three round tables may be held, with the participation of heads of State or Government. Further details will be announced soon.

(b) List of speakers

23. The speakers' list for the World Conference was opened on 12 July 2001 in Geneva. For further details contact:

Ms. Sandra Aragon-Parriaux
World Conference against Racism
Office of the High Commissioner for Human Rights
Tel: + 41 22 917 9129
Fax: + 41 22 917 9056
E-mail: saragon.hchr@unog.ch

(c) Statements in the plenary

24. In accordance with the procedure followed at previous Conferences, the speaking times proposed will be allotted as follows: 7 minutes for dignitaries, 5 minutes for States and 3 minutes for observers. A system of lights installed on the lectern will signal the approach of the end of the speaking time.

2. Documentation

25. Only official documents for the World Conference bearing General Assembly document symbols will be available at the documents distribution centre at the ICC.

G. NGO Forum

26. An NGO Forum associated with the World Conference will take place from 28 August to 1 September at the Kingsmead Cricket Stadium in Durban. Individuals and organizations can participate in the NGO Forum by registering with the Conference secretariat (see para. 13 above). Registration costs are US$ 100 per individual. Organizations do not have to be accredited to the World Conference in order for their representatives to participate in the NGO Forum.

H. Youth Summit

27. A youth summit will take place on 26 and 27 August 2001 at the Kingsmead Cricket Stadium. The Youth Summit is being organized by the Youth Summit Secretariat and the Youth Task Team (both from South Africa), and the International Youth Committee. More than 200 young adults (under 30 years of age), representing all geographical regions, are expected to participate in the Summit to discuss issues of particular concern to them in the struggle against racism. They will elaborate a Youth Statement and Plan of Action that will be presented at the NGO Forum and the World Conference. Individuals wishing to participate in the Youth Summit must be registered for the NGO Forum. There are no additional costs but a separate registration form is required (see www.racism.org.za). For further information, consult the Web site.

I. Media arrangements and services

28. A Media Centre will be located in Hall 1 of the DEC. The Media Centre will have facilities for print and electronic media and will be accessible to accredited media representatives, NGO representatives and delegates. A press conference room is available in the Coast of Dreams hall in the DEC. The Media Centre can be contacted by telephone at + 27 31 360 12 82.

29. A United Nations Media Liaison Desk will be located at the main entrance to the ICC in front of Hall 2D for all media inquiries; the Department of Foreign Affairs (DFA) Media Team will be located in Hall 1 of the DEC.